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ARCHIVES OF MARYLAND

PROCEEDINGS

OF THE

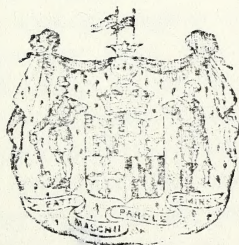
COUNCIL OF MARYLAND

1636-1667

PUBLISHED BY AUTHORITY OF THE STATE, UNDER THE DIRECTION
OF THE MARYLAND HISTORICAL SOCIETY

WILLIAM HAND BROWNE

Editor



BALTIMORE
MARYLAND HISTORICAL SOCIETY

1885

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ARCHIVES OF MARYLAND

PROCEEDINGS

of the

Council of Maryland

1632-1633

Printed at the Office of the State Printer
of the Maryland Historical Society

WILLIAM HARRIS BROWNE

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MARYLAND HISTORICAL SOCIETY

1887

ROOMS OF THE MARYLAND HISTORICAL SOCIETY,

BALTIMORE, September 12, 1885.

To the Maryland Historical Society:

GENTLEMEN:

The Committee on the State Archives have the pleasure to present for your approval and acceptance the result of their work during the past summer. The volume **1624961** is the third published under the State appropriation and embraces the Proceedings of the Council from the earliest date in our records (1636) to the year 1667. These are preceded by the charter and documents illustrative of the first settlement, which are only to be found in the Public Record Office, London, and other repositories abroad. These papers, strictly speaking, are not a part of the Maryland records, yet they partly close a gap in our documentary history, which can only be fully closed by the recovery of the earliest volumes of our records, if they still exist.

It was thought highly important by your Committee that the earliest volumes of our records should be published with as little delay as possible, and with that object in view, the Committee have for the present the Assembly series, although they had ample material in readiness for a third volume in that series, and have taken up the Council Proceedings.

The printing of the present volume leaves but little of the four earliest manuscript volumes to print, and it is thought that a volume in each of the Court, and Land series will place every entry in those manuscript volumes in type.

The division of the Archives into four series, viz. Assembly, Council, Court, and Land, was determined on after much deliberation and the careful examination of many copies in the various volumes.

The labor of gathering and arranging the material for the present volume has been much greater than for both the preceding volumes. For each of the dozen books from which the volume has been gathered, a list of dates of every entry as they occur in the volumes was made; from these dozen lists a second and consolidated one, in strict chronology, was written, and both the separate and consolidated lists were used as check lists in making up the copy for the printer.

The thorough indexes which accompany the volume are the work of Miss Lucy H. Harrison and Dr. Browne. The former making that of Persons and Places, and the latter the Topical.

The Committee have not received any further accessions to the Archives from Annapolis, but recently a number of volumes of Court Records from 1663 to 1702, a volume of Laws, 1731-1752, and two Council books

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for Land Business, 1679-1684, were transferred from the Office of the Clerk of the Court of Appeals to the Land Office. These volumes will be found described by Dr. Browne on a subsequent page, and will be asked for when occasion requires their use in Baltimore.

Your Committee believe that the work that has been done is good work well done, and that it deserves from the General Assembly of our State a liberal appropriation, so that the work can be carried on with more dispatch. Two volumes a year could readily be arranged and printed, and a sum sufficient for this number of volumes ought to be appropriated.

The Society may with truth be said to have rescued these valuable Archives from oblivion if not from destruction. They are made accessible in the original (as well as in the printed reproductions) to the student of our early history, and are secure at the same time in the expensive fire-proof vault specially constructed by the Society for their protection, and the services of the Librarian of the Society, without cost to the State, are always cheerfully rendered in facilitating investigation, arranging confused material and removing difficulties and obscurities.

It could not be expected that the work done and proposed could be executed at any other time, or in any other way, with so little expense to the State. The Society's share of the work is entirely gratuitous, the compensation of the faithful and efficient services of the Editor, Dr. William Hand Browne, is merely nominal, the deciphering and accurate transcribing of Miss Lucy H. Harrison is at ordinary rather than expert's rates, and the admirable work of the printer at the lowest rates for which private individuals in the management of personal business could obtain the same.

Respectfully submitted,

JOHN W. M. LEE,
BRADLEY T. JOHNSON,
HENRY STOCKBRIDGE,
Committee.

The above report having been laid before the Society at its regular meeting on October 12th, 1885, was, on motion, accepted, approved and ordered to be printed.

JOHN H. B. LATROBE,
President.

MENDES COHEN,
Corresponding Secretary.

B. L. C. Laws. 1731-1752. Large folio, parchment binding, 570 pp.
 I Good order. Index.

C. B. Council Book for Land Business. 1679-1683. Medium folio, 321 pp. Old binding repaired. Good order. (Begins with a list of the Land Record Books, delivered to J. Llewellyn, Ap. 7, 1680.) Index.

C B Same as above. 1683-84. 383 pp. Index.
 J

The following form an almost unbroken series of the Provincial Court Records. Most are lettered "Judgments" on back.

| | | Binding. | | | Binding. |
|-------|---------------------|------------|----------|------------------|------------|
| B. B. | 1663-65 | old calf. | E. I. | 10 1745-48 | old calf. |
| J. J. | 1669-72 | " | " | 10 1745-48 [sic] | " |
| M. M. | 1672-75 | " | " | 11 1748-49 | parchment. |
| N. N. | 1675-79 | " | " | 13 1750-53 | " |
| W. C. | 1679-84 | " | " | 14 1753 | " |
| D. S. | | " | " | 15 1753-54 | " |
| A. | 1684-87 | " | G. S. | 1 1755 | " |
| C | 1692-93 | parchment. | B. T. | 1 1756 | old calf. |
| H. D. | 1694-1729 (Appeals) | " | " | 2 1757 | parchment. |
| T. L. | 1 1694-96 | " | " | 3 1757-59 | " |
| " | 2 1698 | " | " | 5 1759-60 | old calf. |
| " | 3 1703-05 | " | D. D. | 1 1760-61 | " |
| P. L. | 1 1706-07 | " | " | 2 1761-62 | parchment. |
| " | 2 1707-09 | " | " | 3 1762-63 | old calf. |
| " | 3 1709-10 | " | " | 4 1763 | " |
| T. P. | 2 1711-12 | " | " | 5 1762-64 [sic] | " |
| I. O. | 1 1712-15 | " | " | 6 1764 | " |
| V. D. | 2 1716-17 | " | " | 7 1764-65 | " |
| " | 3 1717-18 | " | " | 8 1765 | parchment. |
| P. L. | 4 1718-19 | " | " | 9 1765 | old calf. |
| W. G. | 1 1719-22 | " | " | 10 1765-66 | parchment. |
| P. L. | 7 1722-24 | " | " | 11 1766 | " |
| W. G. | 2 1724-26 | " | " | 14 1768 | calf. |
| R. B. | 1 1727-31 | " | " | 15 1768-69 | " |
| R. B. | 3 1731-32 | old calf. | " | 16 1769 | " |
| W. G. | 3 1732-33 | parchment. | " | 17 1770-71 | " |
| E. I. | 1 1734-35 | " | " | 18 1771-72 | " |
| " | 2 1735-37 | " | " | 19 1773-74 | " |
| " | 4 1738-38 | " | " | 21 1775-78 | parchment. |
| " | 5 1738-39 | old calf. | T. B. H. | 1 1779-80 | calf. |
| " | 6 1739-41 | parchment. | " | 2 1781-82 | " |
| " | 9 1744-45 | old calf. | | | |

Also 45 volumes later than 1782. All the above seem to be in good order.

MEMORANDUM OF RECORD BOOKS

AT THE

LAND OFFICE, ANNAPOLIS,

NOT CALENDARED IN MARYLAND ARCHIVES.

PREFACE.

"For government, let it be in the hands of one, assisted with some Counsel; and let them have commission to exercise martial laws, with some limitation."

This advice of Bacon's in his *Essay on Plantations*, was carried out in the Proprietary government of Maryland. Except on those few occasions when the Proprietary was present in person, his authority and rights were represented by a Lieutenant-General, or Governor, whose very ample commission gave him full executive powers in both peace and war, limited only by the law and his official oath. He was appointed by the Proprietary, and held office during his pleasure. The Governor was assisted by a Council, in like manner appointed, of which the members, in a few instances, were sent out from England, but for the most part were influential colonists, chosen at the Governor's recommendation.

The duties of these Councillors were various. As representatives, conjointly with the Governor, of the Proprietary, they had to keep an eye upon his rights and interests, to guard them against invasion, and to give him information of what went on in the Province. As an administration they advised the Governor, and assisted him in carrying out the laws, in the appointment of officers, the making of peace and war, and the like. As a Legislative body they formed the Upper House of Assembly, whose concurrence was necessary to all laws, in which capacity their caution and conservatism often proved a valuable check on the inconsiderateness of the less experienced Burgesses. Their distinct and separate existence as an Upper House, with an independent organization, dates from the restoration of the government to the Proprietary in 1658. With the Governor they had also a limited legislative power of their own, the charter empowering them, as the Proprietary's representatives, to pass ordinances, not affecting the life, liberty, or property of the freemen, without the assent of the Assembly. By virtue of this power they erected counties and hundreds, imposed embargoes, remodelled public offices, &c. They issued letters of denization to aliens, conferring civil, but not political rights, which latter required an act of naturalization by the Assembly. They also constituted the Provincial Court, of which the Governor, down to 1661, was ex-officio Chancellor, which dealt with the more weighty causes, and also sat as a court of appeal.

With these various functions of the Council, it may well be supposed that its records, at least in the earlier volumes, are quite miscellaneous in character. While it was engaged in the consideration of an ordinance, it would happen that a witness presented himself to make a deposition touching matters before the court; or a letter about Indian depredations was read; or a petition was handed in; or an administrator filed a bond; and the clerk entered the business in the journal just as it was taken up.

In conformity with our plan, we have sifted and assorted this mass as far as possible. The legislation of the Upper House has appeared in the volumes already published: the records of the Provincial Court will come up for publication later. In the present volume we give the Council business proper, that is, the record of executive and administrative action in the Province, from 1636 to 166 $\frac{1}{2}$. The earliest entry in our records bears date August 8, 1636, and occurs in a volume beginning in 1639; this would indicate that there was at least one book earlier than any in our possession. A gap will be found from Jan. 164 $\frac{1}{2}$ to Jan. 164 $\frac{3}{4}$, due to the loss or destruction of the records during Ingle's raid. We have done something towards filling this gap by inserting here copies of proceedings in Parliament and before the Privy Council touching Ingle and his doings; but fuller particulars will be found in the records of the Provincial Court.

We have prefixed to the volume a copy of the Charter, taken from the Patent Rolls in the Public Record Office, London, and have added in the notes a careful collation with the text published by Bacon. The differences, though numerous, are unimportant, Bacon's being usually the better Latinity. The reading "*imminutione*" is decidedly better than Bacon's "*immutacione*."

We have also added a number of valuable documents, procured (through the kindness of H. Noel Sainsbury, Esq.) from the Public Record Office, London, the Archives of the House of Lords, and the British Museum, touching various points in the history of the Province, and explaining or complementing the domestic record. Among these are the documents (pp. 15-44) relating to the settlement of Maryland and the first difficulties with Virginia.

It may seem that there is a discrepancy between the running title pp. 201-308, and that which follows; but this is explained by the circumstances. In July, 1654, Governor Stone, who had previously acknowledged and proclaimed the Protectorate, and declared the Province to be held under it, was compelled to lay down his power and submit to the Parliamentary Commissioners, which he did under protest, and until he should receive orders from England. In January following, Cromwell ordered the Commissioners "to forbear disturbing the Lord Baltimore or his officers or people in Maryland, and to permit all things to remain as they were before any disturbance or alteration made by you, or by any other upon pretence of authority from you." About the same time the Proprietary sent word to Stone to resume his authority, which he did, and held it until he was defeated and made prisoner at Providence, March 25, 1655. It is therefore correct to consider that Stone was governor to this time, though his authority was in abeyance during the latter part of 1654. On the other hand, the Commissioners, from their point of view, were justified in dating their rule from July 22, 1654. Both these facts had to be recognized.

As in the previous volumes, the Editor has to express his acknowledgments of the constant and unwearying assistance of Mr. J. W. M. Lee, throughout the whole work.

CHARTER OF MARYLAND.

COLLATION WITH COPY IN "BACON'S LAWS OF MARYLAND."

[Mere variations in spelling, such as *eciam* for *etiam*, *terre* for *terrae*, &c., are not noted.]

p. 3, l. 1, Rex Salutem. Bacon: Carolus Dei gratia Angliae Scotiae, Franciae, et Hiberniae Rex, Fidei Defensor, &c. Omnibus ad quos praesentes litterae nostrae pervenirent Salutem.

| | |
|--------------------------|--------------------------|
| 2, predilectus | Bacon: perdilectus |
| 3, Cecill | " Caecilium |
| 6, Christiane religionis | " Christianam religionem |
| 12, occupatis | " occupata |
| 21, Cecilli | " Caecilio |
| 22, et heredibus | " <i>omits</i> et |
| 23, Chersonesus | " Chersonesi |
| 24, jacentem | " jacentis |
| 26, vocate | " vocato |
| 27, et meridionalis | " ad meridionalem |

| | |
|--|--|
| p. 4, l. 6, remanencia exceptus | " remaneant excepta |
| 19, pisce ibidem capte | " piscibus ibidem captis |
| 28, orotoria | " oratoria |
| 31, faciendas | " faciendi |
| 36, habendum, exercendum, utendum, et gaudendum. | Bacon: habendis, exercendis, utendis, et gaudendis |

| | |
|--------------------------------|------------------------------|
| 45, faciamus | Bacon: facimus |
| p. 5, l. 6, Berk' | " Berkeiae |
| 8, ac reddendo | " <i>omits</i> ac |
| 18, provincia | " provinciam |
| 40, existenti | " existentes |
| 41, navigandos . . . redeundos | " navigantes . . . redeuntes |
| 43, constitutos | " constituta |
| 45, membrorum | " membri |
| 47, deputatos, locumtenentes | " deputatum, locum-tenentem |

p. 6, l. 3, exequendam

29, contingunt

p. 7, l. 2, extendunt

19, obstante

21, constitumus

24, prefata Provincia

25, descendencium

35, omnia . . . privilegia

45, ac ex

" exequendi

" contingent

" extendant

" obstantibus

" constituimus

" praefatam Provinciam

" deducendum

" *puts* privilegia in the place of libertates

" *omits* ac

| | |
|--|---|
| p. 8, l. 18, veri similiter | Bacon: verisimiliter |
| 22, existenti | " existentes |
| 29, facienda | " faciendi |
| 33, assignatis | " <i>adds</i> suis |
| 44, desertores emansores | " emansores desertores |
| p. 9, l. 2, attincturis | " accincturis |
| 4, capientibus | " cupientibus |
| 5, honorem et dignitatem | " honores et dignitates |
| 13, inhabitantes | " ad inhabitantium |
| 17, sui natura | " sua natura |
| 17, exigunt | " exigant |
| 25, redigendos | " redigenda |
| 30, numerandas | " numerandum |
| 39, custume | " custumas |
| 36, existenti | " existentes |
| 37, praefatam Provinciam | " praefatae Provinciae |
| 37, terram Marie nuncupatam | " Terra Mariae nuncupatae |
| p. 10, l. 5, venientes et exeuntes | " venientia et exeuntia |
| 7, erigende et constituende | " erigendos et constituendos |
| 13, mare | " mari |
| 15, et | " vel |
| 17, tugoriola | " tuguriola |
| 25, fiendis | " fienda |
| 28, emendacionis | " emendationem |
| 37, assidendis | " assidenda |
| p. 11, l. 5, ea | " eas |
| 6, vel | " et |
| 9, Barone | " Baroni |
| 9, tanta talia | " talia et tanta |
| 26, statuto | " statutum |
| 29, habito facto edito ordinato seu proviso. | Bacon: habita facta |
| edita ordinata seu provisa | |
| 30, inde in aliquo non | Bacon: inde non |
| 32, maneriis | " maneriorum |
| 37, constituti | " constituta |
| 37, existenti | " existentes |
| 38, visus | " visum |
| p. 12, l. 7, sufficiente | " sufficienti |
| 10, precipiendo | " praecipientes |
| 12, injungendo | " injungentes |
| 15, heredibus suis | " <i>omits</i> suis |
| 19, auxilientur . . . decet | " <i>puts</i> prout decet <i>before</i> |
| | auxilientur |
| 25, deducti vel deducendi | " deductae vel deducendae |
| 40, imminutione | " immutatione |

NOTES.

Page 26, last line. have. Qy. "leave."

Page 33, line 16. will intrench. Should be "will not."

Page 35, line 1. should at. Qy. "should know at."

Page 37, line 10. Laward, for "De la Warre."

Page 39, line 16. this month. Qy. "last month."

Page 58. Gaps are in original. Words in brackets restored from later copy.

Page 59. Here and elsewhere the captions in brackets are not in text, but inserted for convenience of reference.

Page 63, line 5. Games. *Sic* for "James."

Page 80, last line. Blanthwait. *Sic* for "Brainthwait."

Page 82. Dots are in original. The scribe of C. B. thus marks an erasure that has not been written over.

Page 90, line 13. any two Justices. *Sic*.

Page 90, line 18. discession for "discretion."

Page 90, line 6 from bottom. The like Comission. This refers to commission to Brent (p.88) which this immediately follows in original.

Page 97. The underscoring here and on pp. 107 and 108 is explained by a memorandum on p. 108.

Page 105. Oath in brackets in original.

Page 134, line 6. Leiu' gräll is. Qy. "who is."

Page 137, line 12. neāry, *i. e.* "necessary."

Page 137. The commission to Cauther is clearly a mere memorandum.

Page 140, line 26. Treāry, *i. e.* "treasury."

Page 145, line 1. [And in case. Bracket in original.

Page 146, line 14. assessed supra. Refers to assessment of Nov. 4.

Page 151, line 13. eñ nullo. *Sic*.

Page 164. Here is the gap made by the loss of records in the Ingle disturbance.

Page 167, line 26. piect, *i. e.* "project."

Page 169, line 2. hee shall. Qy. "she," though her absurd charges were doubtless prepared by Ingle.

Page 178, line 3 from bottom. become. *Sic*.

Page 179, line 3 from bottom. Pewell for "Yewell."

Page 180. The Governor repealed. There seems to be some duplication here.

Page 181, line 3 from bottom. Oppose the same. Part of original Liber A was missing when the L. O. R. copy was taken, so the text cannot be completed. It is the end of the oath of fidelity taken by the Kent Islanders.

Page 187, line 10. Whereas. The text is now taken from original Liber A.

Page 188, line 12. reinuation. Perhaps "re-invasion," but Hill's English is peculiar.

Page 201. See note to p. 82.

Page 202, line 17. to have hold &c. Repetition in original.

Page 215, line 24. Court of Arms. *Sic*.

Page 218, line 28. Maryland and. "and his heirs" omitted in original.

Page 221, line 18. our said. "Province" omitted.

Page 222, last line. are . . . by our. *Sic*.

Page 223, line 4 from bottom. Some honour. "Honour" was a name given to a higher kind of Seigniories on which other inferior lordships depended. Readers of Scott will remember Waverley Honour.

Page 238, line 2. elected for "erected."

Page 278. The crosses stand for various hieroglyphs and scrawls.

Page 294, line 12. accomptant. Apparently for "a competent."

Page 313, line 27. 1651 for "1654."

Page 324. The first leaf of Liber HH being lost, these instructions have been completed from a copy in the British Museum.

Page 367, last line. Runa for "runaways."

Page 377, line 6. to noe other. "purpose" seems wanting.

Page 387, line 10. Kendall for "Fendall."

Page 415, line 7. as much as for to tenne of. *Sic* in original. Qy. "a misfortune."

Page 422, line 27. allways to be one. *Sic*.

Page 425, line 14. assume. Probably for "assure."

Page 440, line 31. one Councell. "of our" omitted.

Page 447, line 9 from bottom. Widd. *i. e.* "widow."

Page 449, line 8. Tabbott. *Sic*. Perhaps the ancient pronunciation.

Page 454, line 8. Crowe for "Crowne."

Page 456, line 17. 1662 for "1661."

Page 457, line 16. his owne, for "its owne." An interesting survival of the old genitive.

Page 467, line 20. heires. *Sic*.

Page 473, line 11. Eaport for "export."

Page 484, line 7. Mevis. *Sic* in P. R. O. copy for "Nevis."

Page 506, line 4 from bottom. reveiled. *Sic*. Perhaps "relected."

Page 511, line 13 from bottom. theme for "thence."

Page 537, line 10. [This is a draft, &c.] Bracketed in P. R. O. copy.

Page 550, line 10. The "terrapiu" and "fox" are rude sketches imitated by the scribe of HH from the totem-signs of the chiefs.

CHARTER OF MARYLAND.

June 20, 1632.

PATENT ROLL 8 CHARLES I.

Part 3, No. 2594.

IN PUBLIC RECORD OFFICE, LONDON.

P. R. O. Chessopeak evolvitur ac inde per lineam brevissimam usque ad predictum Promontorium sive locum vocatum Watkins point Ita quod totus terre tractus per lineam predictam inter magnum Oceanum et Watkins point divisus usque ad Promontorium vocatum Cape Charles et singula sua Appenditia nobis heredibus et successoribus nostris integre remanencia exceptus imperpetuum Necnon omnes Insulas et Insululas infra limites predictos Concedimus eciam et confirmamus eidem Baroni de Baltimore heredibus et assignatis suis omnes et singulas Insulas et Insululas ab orientali predictæ Regionis littore orientem versus in mari natas vel nascendas infra decem leucas marinas ab eodem littore scituatus cum omnibus et singulis Portubus Navium stacionibus estuariis Fluminibus et Fretis ad regionem vel Insulas predictas pertinentibus omnesque fundos terre Campestria silvas montana paludes lacus Flumina estuaria et freta infra metas terminos et limites predictos scituata seu existentia cum cujuscunque generis piscium tam Balenarum sturgeonum et aliorum regalium quam aliorum in mari sinibus fretis vel Fluminibus infra premissa piscacionibus et pisce ibidem capte Omnesque insuper Auri Argenti Gemmarum et lapidum preciosorum et alias quascunque sive lapidum sive metallorum sive alterius cujuscunque rei aut materie venas mineras et fodinas tam apertas quam occultas infra regionem Insulas seu limites predictos repertas et reperiendas et hoc amplius omnium Ecclesiarum quas (crescente Christi cultu et religione) infra dictam regionem Insulas Insululas et limites predictos futuris temporibus edificari contigerit patronatus et Advocaciones unacum licencia et facultate Ecclesias Capellas et Orotoria in locis infra premissa congruis et idoneis extruendi et fundandi eaque dedicari et sacrari juxta leges Ecclesiasticas regni nostri Angliæ faciendas cum omnibus et singulis hujusmodi ac adeo amplis juribus jurisdictionibus privilegiis Prærogativis regalitatibus libertatibus immunitatibus juribusque regalibus et Franchesiis quibuscunque temporalibus tam per mare quam per terram infra regionem Insulas Insululas et limites predictos Habendum exercendum utendum et gaudendum prout aliquis Episcopus Dunelmensis infra Episcopatum sive Comitatum Palatinum Dunelmensem in Regno nostro Angliæ unquam antehac habuit tenuit usus vel gavisus fuit seu de jure habere tenere uti vel gaudere debuit aut potuit Ipsumque modo Baronem de Baltimore et heredes suos Regionis predictæ ceterorumque omnium premissorum veros et absolutos Dominos et Proprietarios (exceptis preexceptis) Salva semper fide et ligeancia ac dominio directo nobis heredibus et Successoribus nostris debitis pro nobis heredibus et Successoribus nostris faciamus creamus et constituimus per presentes Habendum tenendum possidendum et gaudendum predictam Regionem

Insulas Insululas et cetera premissa prefato modo Baroni de Baltimore et heredibus et assignatis suis ad solum et proprium opus et usum ipsius modo Baronis de Baltimore heredum et assignatorum suorum imperpetuum, tenendum de nobis heredibus et Successoribus nostris Regibus Anglie ut de Castro nostro de Windsore in Comitatu nostro Berk' in libero et communi socagio per fidelitatem tantum pro omnibus serviciis et non in capite nec per servicium militare Ac reddendo inde nobis heredibus et Successoribus nostris duas sagittas Indicas parcium illarum apud dictum Castrum de Windsore singulis Annis tradendas in die Martis in Septimana Pasche Aceciam quintam partem omnis metalli aurei et argenti Anglice of Gould and silver Oare quod infra prefatos limites de tempore in tempus contigerit inveniri, ut vero predicta Regio sic a nobis concessa et descripta ceteris omnibus illius terre Regionibus prefulgeat et amplioribus titulis decoretur Sciatis quod nos de ampliori gracia nostra certa sciencia et mero motu nostris dictam Regionem ac Insulas in provincia erigendas esse duximus prout eas ex plenitudine potestatis et prerogative nostre regie pro nobis heredibus et Successoribus nostris in Provinciam erigimus et incorporamus Eamque terram Marie Anglice Maryland nominamus et sic in futuro nominari volumus Et quoniam prefatum modo Baronem de Baltimore totius Provincie antedictae verum dominum et Proprietarium superius fecimus et ordinavimus Ulterius igitur sciatis quod nos pro nobis heredibus et successoribus nostris eidem modo Baroni (de cujus fide prudencia justicia et provida animi circumspeccione plurimum confidimus) et heredibus suis pro bono et felici dicte provincie regimine leges quascunque sive ad publicum ejusdem Provincie statum sive ad privatam singulorum utilitatem pertinentes juxta sanas discreciones suas de et cum Consilio assensu et approbacione liberorum hominum ejusdem provincie vel majoris partis eorundem vel eorum legatorum vel deputatorum quos ad leges condendas quum et quociens opus fuerit a prefato modo Barone de Baltimore ac heredibus suis ac in forma que illi vel illis melior esse videbitur convocari volumus condendi faciendi edendi et sub sigillo predicti modo Baronis de Baltimore ac heredum suorum promulgandi easque in omnes homines infra dictam Provinciam et limites ejusdem pro tempore esistenti vel sub illius vel illorum regimine et potestate Terram Marie versus navigandos aut inde redeundos extra vel ad terram Anglie vel extra vel ad aliqua alia dominia nostra vel aliena ubilibet constitutos per mulctarum impositionem incarcerationem et aliam quamlibet coercionem etiamsi oporteat et delicti qualitas id exigerit per membrorum vel vite privacionem per se prefatum modo Baronem de Baltimore et heredes suos seu per deputatos locumtenentes Judices Justicia

P. R. O. rios Magistratus Officiarios et Ministros suos secundum tenorem ac veram intencionem presencium constituendos et conficiendos debite exequendam Judicesque et Justiciarios Magistratus et officarios quoscumque ad quascunque Causas et cum quacunque potestate et in forma que prefato modo Baroni de Baltimore vel heredibus suis melior esse videbitur terra illa ac parcium illarum mari constituendi et ordinandi crimina item et excessus quoscumque contra hujusmodi leges sive ante judicium acceptum sive post remittendi relaxandi et pardonandi et abolendi ceteraque omnia alia et singula ad justice complementum Curiasque Pretoria et Tribunalia Judiciorum formas et procedendi modos pertinentia etiam si de illis expressa in presentibus non fiat mencio ac in Curiis Pretoriis et Tribunalibus illis in Accionibus sectis causis et negociis quibuscunque tam criminalibus quam civilibus personalibus realibus et mixtis ac Pretoriis procedendi placita tenendi et terminandi per Judices per ipsos delegatos liberam plenam et omnimodam tenore presencium concedimus potestatem Quasquidem leges sic ut premittitur promulgandas absolutissima juris firmitate niti et ab omnibus hominibus subditis et ligeis nostris heredum et successorum nostrorum quatenus eos concernunt in partibus illis custodiri et sub penis in eisdem expressis et exprimendis inviolabiliter observari volumus injungimus precepimus et mandamus Ita tamen quod leges predictae sint rationi consone et non sunt repugnantes nec contrarie sed (quoad convenienter fieri poterit) consentanee legibus statutis consuetudinibus ac juribus hujus Regni nostri Anglie Et quoniam in tante Provincie regimine repentini casus sepe numero contingunt quibus necesse erit remedium adhiberi antequam liberi tenentes dicte Provincie legati vel deputati sui ad leges condendas convocari possint nec idoneum erit continuo tali casu emergente tantum populum convocari Idcirco pro meliori gubernacione tante provincie volumus et ordinamus Ac per presentes per nobis heredibus et successoribus nostris prefato modo Baroni de Baltimore et heredibus suis concedimus Quod prefatus modo Baro de Baltimore et heredes sui per se vel per Magistratus et officarios in ea parte debite ut prefertur constituendos ordinationes idoneas et salubres de tempore in tempus facere et constuere possint et valeant infra Provinciam predictam custodiendas et observandas tam pro Custodia pacis quam pro meliori regimine populi ibidem degentis easque omnibus quos eodem aliququaliter tangunt seu tangere possint publice innotescere quasquidem ordinationes infra dictam Provinciam inviolabiliter observari volumus sub penis in eisdem exprimendis Ita quod eodem ordinationes sint rationi consone et non sint repugnantes nec contrarie sed (quoad convenienter fieri potest) consentanee legibus Statutis

aut juribus Regni nostri Anglie Et ita quod eedem ordinationes se non extendunt ad jus vel interesse alicujus persone sive aliquarum personarum de aut in membro vita libero tenemento bonis seu Catallis aliquoaliter astringendum ligandum onerandum seu tollendum Porro ut nova Colonia populi eadem confluentis multitudine felicius crescat pariter et a Barbarorum aliorumve hostium Piratarum et Predonum incursibus firmitus muniatur Idcirco nos pro nobis heredibus et Successoribus nostris omnibus hominibus et Subditis nostris heredum et Successorum nostrorum ligeis presentibus et futuris nisi quibus id specialiter fuerit interdictum se familiasque suas ad dictam Provinciam cum idoneis navigiis et comeatu congruo transferendi sedesque suas ibidem collocandi incolendi et inhabitandi Castraque et Castella seu alia Fortilicia ad prefati modo Baronis de Baltimore et heredum suorum arbitrium pro defensione publica et sua extruendi et muniendi facultatem licenciam et libertatem damus et Concedimus per presentes Statuto de Fugitivis vel aliis quibuscunque in contrarium premissorum in aliquo non obstante Volumus eciam et ex uberiori gracia nostra pro nobis heredibus et successoribus nostris firmiter precipimus constituimus ordinamus et Mandamus Quod dicta Provincia de nostra ligeancia sit Quodque omnes et singuli Subditi ac ligei nostri heredum et Successorum nostrorum in prefata Provincia deducti vel deducendi ipsorum et aliorum de ipsis descendencium liberi ibidem seu jam nati seu imposterum nascendi sint et erunt indigene et ligei nostri heredum et Successorum nostrorum Regni nostri Anglie et Hibernie Ac in omnibus teneantur tractentur reputentur et habeantur tanquam fideles legei nostri ac heredum et Successorum nostrorum infra Regnum nostrum Anglie oriundi Necnon terras tenementa revenciones servicia et alia hereditamenta quecunque infra Regnum nostrum Anglie ac alia dominia nostra hereditare seu aliter perquirere recipere capere habere tenere emere et possidere ac eis uti et gaudere eaque dare vendere alienare et legare Aceciam omnia libertates Franchlesias et privilegia hujus regni nostri Anglie libere quiete et pacifice habere et possidere eisque uti et gaudere possint tanquam legei nostri infra dictum Regnum nostrum Anglie nati seu oriundi absque impedimento molestacione vexacione impeticione sive gravamine nostri heredum vel Successorum nostrorum quorumcunque Aliquo statuto Actu ordinatione seu provisione in contrarium inde non obstante Preterea ut Subditi nostri ad expeditionem hanc prompto et alacri animo suscipiendam incitentur Sciatis quod nos de gracia nostra speciali ac ex certa sciencia et mero motu nostris tam prefato modo Baroni de Baltimore et heredibus suis quam aliis omnibus de tempore in tempus habitandi vel cum Incolis Provincie predictae Comercium Habendi causa in

P. R. O. Provinciam illam profecturis omnia et singula sua bona tam mobilia quam immobilia merces et mercimonia Anonam eciam generis cujuscunque aliaque ad victum et vestitum necessaria quecunque per leges et statuta Regnorum et Dominiorum nostrorum extra eadem Regna deportari non prohibita in quibuscunque Portubus nostris heredum et Successorum nostrorum in Naves imponendi et onerandi et in dictam Provinciam per se vel servos aut assignatos suos traducenda absque impedimento vel molestacione nostri heredum vel Successorum nostrorum vel aliquorum officiariorum nostrorum heredum vel Successorum nostrorum Salvis nobis heredibus et Successoribus nostris impositionibus Subsidiis Custunis et aliis pro eisdem rebus et merchandisis debitis et solubilibus plenam tenore presencium licenciam damus et concedimus Aliquo Statuto Actu Ordinatione aut alia re quacunque in contrarium non obstante Quia vero in tam longinqua Regione inter tot barbaras naciones positi tam ipsorum barbarorum quam aliorum hostium Piratarum et Predonum incursus veri similiter timeri poterint Idcirco prefato modo Baroni de Baltimore ac heredibus et assignatis suis per se vel per Capitaneos aut alios officarios suos omnes homines cujuscunque condicionis aut undicunque oriundos in dicta Provincia de terra Marie pro tempore existenti ad vexilla vocandi delectus habendi bella gerendi hostesque et Predones predictos partes illas infestantes terra marique eciam ultra Provincie sue limites prosequendi eosque (si deus dederit) profligandi et capiendi et captos jure belli occidendi vel pro arbitrio suo servandi Ceteraque omnia et singula que ad Capitanei Generalis Exercitus jus et officium spectant seu spectare consueverint facienda adeo plenam et liberam ac quivis Capitaneus generalis Exercitus unquam habuit dedimus ac pro nobis heredibus et Successoribus nostris damus potestatem per presentes Volumus eciam ac per hanc Chartam nostram prefato modo Baroni de Baltimore et heredibus et assignatis potestatem libertatem et auctoritatem damus ut in casu Rebellionis repentini tumultus aut sedicionis si que (quod absit) sive super terras infra Provinciam predictam sive super alto mari in itinere ad dictam Provinciam de terra Marie faciendo vel inde redeundo oriri contingeret per se vel Capitaneos Deputatos aut alios officarios suos sub sigillis suis ad hoc deputandos quibus eciam nos pro nobis heredibus et Successoribus nostris plenissimam per presentes potestatem et auctoritatem damus et concedimus adversarios rerum novarum parcium illarum Authores seditiosos regimini illius vel illorum se subtrahentes militiam detractantes transfugas desertores emansores vel aliter utcunque contra rem morem et disciplinam militarem delinquentes jure utantur militari adeo libere et in tam amplis modo et forma prout aliquis Capitaneus generalis Exerci-

tus virtute officii sui eo uti possit aut consuevit Porro ne P. R. O.
 viris honeste natis et se ad presentem expeditionem attine-
 turis ac bene de nobis et Regnis nostris pace et bello mereri
 capientibus in tam remota longeque dissita Regione omnis
 ad honorem et dignitatem via preclusa et penitus obsepta
 esse videatur Propterea nos pro nobis heredibus et Successori-
 bus nostris prefato modo Baroni de Baltimore et heredibus et
 assignatis suis liberam et plenariam potestatem damus favores
 gracias et honores in benemeritos Cives infra Provinciam pre-
 dictam inhabitantes conferendi Eosque quibuscunque titulis et
 dignitatibus (modo tales non fuerint que in Anglia nunc sunt
 in usu) pro Arbitrio suo decorandi villas item in Burgos et
 Burgos in Civitates Inhabitantes merita et locorum opportuni-
 tates cum privilegiis et immunitatibus congruis erigendi et
 incorporandi Ceteraque omnia et singula in premissis faciendi
 que illi vel illis congrua et opportuna esse videbuntur eciam si
 talis fuerint que de sui natura mandatum et warrantum exigunt
 magis speciale quam in presentibus sit expressum Volumus
 eciam ac per presentes pro nobis heredibus et Successoribus
 nostris prefato modo Baroni de Baltimore heredibus et assignatis
 suis omnibusque predictae Provincie Incolis et Inhabitantibus
 quibuscunque presentibus et futuris per hanc Chartam nos-
 tram licenciam damus et concedimus ut Merces quascunque et
 mercimonia ex dicte Provincie fructibus et Commoditatibus
 terrestribus vel maritimis redigendas per se vel per servos
 Factores aut assignatos suos in quoscunque Portus nostros
 heredum et Successorum nostrorum Anglie aut Hibernie libere
 inferre et exonerare aut aliter de eisdem ibidem disponere et si
 opus fuerit easdem Merces infra unum Annum ab exoneracione
 earum continuo numerandas rursus in naves easdem vel alias
 onerare et in quascunque voluerint Regiones sive nostras sive
 extraneas de amicitia nostra heredum et Successorum nos-
 trorum deportare valeant Proviso semper quod tales et talia
 Custume et impositiones Subsidia et telonia nobis heredibus et
 Successoribus nostris inde solvere teneantur quales et qualia
 reliqui subditi nostri regni nostri Anglie pro tempore existenti
 solvere tenebuntur ultra quas et que prefatam Provinciam
 dicte terre terram Marie nuncupatam Incolas gravari nolumus
 Et ulterius de ampliori gracia nostra speciali ac ex certa
 sciencia et mero motu nostris pro nobis heredibus et Succes-
 soribus nostris concedimus prefato modo Baroni de Baltimore
 heredibus et assignatis suis plenam et absolutam potestatem et
 auctoritatem faciendi et erigendi et constituendi infra Provin-
 ciam de terra Marie ac Insulas et Insululas predictas tot et tales
 Portus marittimos Navium staciones Crecas et alia loca exonera-
 tionis et deposicionis bonorum et mercimoniorum e Navibus
 Cymbis ac aliis vasibus ac oneracionis in eadem et in tot et

P. R. O. talibus locis et cum talibus juribus jurisdictionibus libertatibus et privilegiis ad hujusmodi Portus spectantibus prout ei vel eis melius videbitur expedire Quodque omnes et singule Naves Cimbe et alia vasa quecunque causa merchandizandi ad Provinciam et ex Provincia predicta venientes et exeuntes ad hujusmodi Portus per dictum modo Baronem de Baltimore heredes et assignatos suos sic erigende et constituende solummodo onerentur et exonerentur Aliquo usu consuetudine aut aliqua alia re in contrarium non obstante Salva semper nobis heredibus et Successoribus nostris et omnibus Subditis Regni nostri Anglie et Hibernie heredum et Successorum nostrorum libertate piscandi piscem marinum tam in mare estuariis et fretis et fluminibus Navigio idoneis quam in Portibus estuariis et Crecis Provincie antedictae ac privilegio saliendi exsiccati et arefaciendi pisces in littoribus ejusdem Provincie et ea de causa buscam et vimina ibidem crescencia succindere et capere et casas et tugoriola in hac parte necessaria extruere prout rationabiliter hactenus usi fuerunt aut potuerunt Quibus quidem libertatibus et privilegiis dicti subditi nostri heredum et Successorum nostrorum gaudebunt absque notabili damno vel injuria prefato modo Baroni de Baltimore heredibus vel assignatis suis aut ejusdem Provincie Incolis et Inhabitantibus in Portibus Crecis aut littoribus predictis et presertim in boscis et silvis ibidem crescentibus aliquo modo fiendis Et si quis hujusmodi damnum fecerit aut injuriam gravis indignacionis nostre heredum et Successorum nostrorum debiteque legum Castigacionis periculum penamque preter emendacionis subeat Volumus insuper statuimus et ordinamus ac per presentes pro nobis heredibus et successoribus nostris concedimus prefato modo Baroni de Baltimore heredibus et assignatis suis Quod idem Baro de Baltimore heredes et assignati sui de tempore in tempus imperpetuum habeant et gaudeant telonia et subsidia in Portibus Navium stacionibus et aliis Crecis et locis predictis infra Provinciam predictam solubilia sive emergentia pro mercimoniis et rebus ibidem onerandis et exonerandis per ipsos et populos ibidem ut predictum est occasione emergente rationabiliter assidendis quibus eadem justa de causa debita proporcione assidere et inducere telonea et subsidia ibidem potestatem pro nobis heredibus et Successoribus nostris damus per presentes Et ulterius de gracia nostra speciali ac ex certa sciencia et mero motu nostris dedimus concessimus et confirmavimus Ac per presentes pro nobis heredibus et Successoribus nostris damus concedimus et confirmamus prefato modo Baroni de Baltimore heredibus et assignatis suis plenam et absolutam licenciam potestatem et auctoritatem Quod ipse prefatus modo Baro heredes et assignati sui de tempore in tempus imposterum

imperpetuum ad ejus vel eorum libitum et voluntatem possint P. R. O.
et valeant assignare alienare concedere dimittere vel feoffare
premissorum tot tales et tantas partes et parcelas ea perquirere
volenti vel volentibus quot quales et quantas duxerunt oppor-
tunas Habendum et tenendum eisdem persone et personis ea
capere vel perquirere volenti vel volentibus heredibus et
assignatis suis in feodo simplici vel Feodo talliato vel pro
termino vite vitarum vel Annorum tenendum de prefato modo
Barone de Baltimore heredibus et assignatis suis per tot tanta
talia et hujusmodi servicia consuetudines et redditus quot
quanta et qualia eidem modo Baroni de Baltimore heredibus
et assignatis suis visum fuerit vel placuerit et non de nobis
heredibus vel Successoribus nostris immediate Et eisdem
persone et personis et eorum cuilibet et quibuslibet damus et
per presentes pro nobis heredibus et Successoribus nostris
concedimus licenciam authoritatem et potestatem quod talis
persona et persone premissa sive aliquam inde parcelam de
prefato modo Barone de Baltimore heredibus et assignatis suis
recipere possit et possint ac tenere sibi et assignatis suis vel
heredibus suis de quocunque statu hereditario in Feodo
simplici vel Feodo talliato vel aliter prout eis et modo Baroni
de Baltimore heredibus et assignatis suis videbitur expedire de
eodem Barone de Baltimore heredibus et assignatis suis
Statuto in Parlamento domini Edwardi filii Regis Henrici
nuper Regis Anglie Progenitoris nostri edito communiter
vocato Statuto Quia Emptores terrarum in regno nostro Anglie
dudum edito Aut aliquo alio statuto actu ordinatione usu lege
vel consuetudine aut aliqua alia re causa vel materia in con-
trarium inde antehac habito facto edito ordinato seu proviso in
contrarium inde in aliquo non obstante Ac eidem Baroni de
Baltimore et heredibus suis particulas aliquas terre infra
Provinciam predictam in Maneria erigere et in Maneriis eorum
singulis habere et tenere Curias Baronis ad omnia que ad
Curias Baronis pertinent et visus Franciplegii ad conserva-
tionem pacis et melius parcium illarum regimen per se et
Seneschallos suos vel aliorum maneriorum illorum cum con-
stituti fuerint dominos pro tempore existenti deputandos
habere et custodire et in eisdem omnibus uti ad visus Franci-
plegii pertinentibus licenciam damus et concedimus per pre-
sentes Ac ulterius volumus ac per presentes pro nobis
heredibus et Successoribus nostris convenimus et concedimus
ad et cum prefato modo Barone de Baltimore heredibus et
assignatis suis quod nos heredes et Successores nostri nullo
tempore imposterum aliquas impositiões Custumas aut alias
taxaciones quotas seu contribuciones quascunque imponemus
aut imponi faciemus aut causabimus in aut super Incolas aut
Inhabitantes Provincie predicte pro bonis terris vel tenementis

P. R. O. suis infra eandem Provinciam aut super aliqua terras tementa bona seu Catalla infra Provinciam predictam aut in aut super aliqua bona vel merchandizas infra Provinciam predictam aut infra Portus aut Navium stationes dicte Provincie onerandas seu exonerandas et hanc declaracionem nostram in omnibus Curiis et Pretoriis et coram quibus-cunque Judicibus nostris heredum et Successorum nostrorum pro sufficiente et legitima liberacione solucione et Acquietancia inde de tempore in tempus recipi et allocari volumus Ac pro nobis heredibus et Successoribus nostris jubemus et mandamus precipiendo omnibus et singulis officiariis et ministris nostris heredum et Successorum nostrorum et sub gravi indignacione injungendo ne quid in contrarium premissorum ullo unquam tempore attemptare audeant aut eisdem ullo modo contraveniant sed prefato modo Baroni de Baltimore et heredibus suis ac prefate Provincie de terra Marie Incolis et Mercatoribus predictis eorumque servis Ministris Factoribus et assignatis in plenissimo hujus Charte nostre usu et fruicione omni tempore auxilientur et assistant prout decet Et ulterius volumus ac per presentes pro nobis heredibus et Successoribus nostris concedimus prefato modo Baroni de Baltimore heredibus et assignatis suis et dicte Provincie terre tenentibus habitatoribus presentibus et futuris et singulis eorum Quod Provincia predicta terre tenentes vel Incole ejusdem Colonie aut patrie vel terre Virginie aut alicujus alterius Colonie deducti vel deducendi membrum vel pars de cetero non habeantur vel reputentur aut de eisdem dependentes sint aut regimini subsint in aliquo ipsamque et ipsos ab eisdem separamus et separatos esse volumus per presentes Ac quod Corone nostre Anglie immediate sint subjecti et de eadem dependentes imperpetuum Et si forte imposterum contingat dubitationes aliquas questiones circa verum sensum et intellectum alicujus verbi clause vel sentencie in hac presenti Charta nostra contente generari eam semper et in omnibus interpretacionem adhiberi et in quibus-cunque Curiis et Pretoriis nostris obtinere volumus precipimus et mandamus que prefato modo Baroni de Baltimore heredibus et assignatis suis benignior utilior et favorabilior esse judicabitur Proviso semper quod nulla fiat interpretacio per quam sacro sancta dei et vera Christiana religio aut ligeancia nobis heredibus et Successoribus nostris debita imminutione prejudicio vel dispendio in aliquo patiantur Eo quod expressa mencio &c In cujus rei &c Teste Rege apud Westmonasterium xx^o die Junii.

Per breve de Privato sigillo.

DOCUMENTS AND CORRESPONDENCE

FROM THE

PUBLIC RECORD OFFICE, LONDON,

RELATING TO THE

SETTLEMENT OF MARYLAND.

1629-1637.

George Baltimore to the King.

19. August 1629.

P. R. O.
Colonial Pa-
pers. Vol.V,
No. 27.

Most Gracious and dread Sovereigne,

Small benefits and favors can speake and give thanks, but such as are high, and unvaleweable cause astonishment and silence. I am obliged unto your Majesty for the later in such a measure as reflecting upon my weaknesse and want of merit I know not what to say. God Almighty knows who is the searcher of hearts how myne earne to sacrifice my self for your Majesty's service, if I did but know how to employ my endeavors worthy of that great goodnesse and benignity which your Majesty is pleased to extend towards me upon all occasions, not only by reaching your Gracious and Royall hand to my assistance in lending me a faire shipp (for which upon my knees I render your Majesty most humble thankes) but by protecting me also against calumny and malice which hath already sought to make me seeme fowle in your Majesty's eyes. Whereas I am so much the more confident of God's blessing upon my labours in these plantations (notwithstanding the many crosses and disasters I have found hitherto) in that a Prince so eminently virtuous hath vouchsafed to take it into the armes of his protection, and that those who go about to supplant and destroy me are persons notoriously lewd and wicked. Such a one is that audacious man who being banished the Colony for his misdeeds did the last wynter (as I understand) raise a false and slanderous report of me at Plymouth, which comming from thence to your Majesty's knowledge, you were pleased to referre to some of my Lords of the Councell, by whose honorable hands (for avoyding the ill manners of drawing this letter to too much length) I have presumed to returne my just and true Apologies to your Majesty.

But as these rubbs have beene layd to stumble me there, (which discourage me not because I am confident of your Majesty's singular judgement and justice, so have I mett with greater difficultyes and encumbrances here which in this place are no longer to be resisted, but enforce me presently to quitt my residence, and to shift to some other warmer climate of this new world, where the wynters be shorter and lesse rigorous. For here, your Majesty may please to understand that I have

Colonial Papers. Vol. V,
No. 27.

found by too deare bought experience which other men for their private interests always concealed from me, that from the middst of October to the middst of May there is a sadd face of wynter upon all this land, both sea and land so frozen for the greatest part of the tyme as they are not penetrable no plant or vegetable thing appearing out of the earth untill it bee about the beginning of May, nor fish in the sea besides the ayre so intolerable cold as it is hardly to be endured. By meanes whereof, and of much salt water, my house hath beene an hospitall all this wynter, of 100. persons 50 sick at a tyme, my self being one and nyne or ten of them dyed. Hereupon I have had strong temptations to leave all proceedings in plantations, and being much decayed in my strength to retire my self to my former quiett; but my inclination carrying me naturally to these kynde of workes, and not knowing how better to employ the poore remaynder of my days than with other good subjects to further the best I may the enlarging your Majesty's empire in this part of the world I am determined to committ this place to fishermen that are able to encounter storms and hard weather, and to remove my self with some 40 persons to your Majesty's dominion of Virginia, where if your Majesty will please to grant me a precinct of land with such privileges as the King your father my gracious master was pleased to grant me here, I shall endeavor to the utmost of my power to deserve it and pray for your Majesty's long and happy raigne as

your Majesty's most humble
and faithfull subject and servant.
Geo: Baltimore.

Ferryland 19. August 1629.

Colonial Papers. Vol. V,
No. 40.

Governor Pott and others to the Council.
30. November. 1629.

Right honorable,

May it please your Lordships to understand, that about the beginnige of October last there arived in this Colony the Lord Baltimore from his plantation of Newfoundland, with an intention as wee are informed, rather to plant himself to the southward, than settle here, although since hee hath seemed well affected to this place, and willing to make his residence therein with his whole family. Wee were readily inclined to render unto his Lordshipp all those respects which were due unto the honor of his person, or which might testifie with how much gladness wee desired to receive and entertain him, as being of that eminence and degree whose presence and affection might give great advancement to this Plantation. Whereuppon

according to the instructions from your Lordships and the usuall course held in this place wee tendered the oathes of Supremacie and Aleidgance to his Lordshipp and some of his followers, who making profession of the Romishe Religion, utterly refused to take the same, a thing which wee could not have doubted in him, whose former employments under his late Majestie might have indeared to us a persuasion, he would not have made denyall of that, in poynt whereof consisteth the loyaltie and fidelitie, which every true subjecte oweth unto his Sovereigne. His Lordshipp then offered to take this oath a copy whereof is included but in true discharge of the trust imposed in us by his Majestie wee could not imagine that so much latitude was left for us to decline from the prescribed forme, soe strictly exacted and soe well justefied and defended by the pen of our late Sovereigne Lord King James of happy memory, and amonge the many blessinges and favores for which wee are bound to bless God and which this Colony hath received, from his most gracious Majesty, there is none whereby it hath beene made more happy then in the freedom of our Religion which we have enjoyed, and that noe papists have beene suffered to settle their abode amongst us, the Continuance whereof wee most humbly implore from his most sacred Majestie and earnestly beseech your Lordships that by your mediations and Councells the same may bee established and confirmed unto us, and wee as our Duty is with the whole Colony shall allwaies pray for his Majesty's long life and eternal security from whose royall hands this Plantation must expect her establishment and for whose honor God hath reserved soe glorious a worke as the perfection thereof.

Wee humbly take our leave

Your Lordships very humble servants

John Pott

Sam. Mathews

Roger Smith

W. Claybourne.

The 30th November 1629.

Considerations upon the Patent to the Lord Baltimore
dat: 20. Junij. Octavo. Car. [1632.]

Colonial Pa-
pers. Vol.
VI, No. 58.

Matter of Law.

1. Because the matter of the Petition of the Patentee mentioned to be the motive and the cause of the Warrant is (viz:) that the Region thereby granted was then inhabited and possessed of the Barbarous Heathen or Sauages.

Colonial Papers. Vol. VI, No. 58.

Is not soe for in truth part of the said Region had bin formerly inhabited by his Majesty's Subjects which were sent over from the London Colony of Virginia.

2. There is intended to bee granted the Liberties of a County Palantine and there is noe exception of Writts of Error, or of the last appeale to the King as by lawe ought to bee.

3. Habend prout aliquis Episcopus Danelmensis infra et unquam antehac habuit vel habere potuit; which I think is to Generall and incerteine because it doth not name any one certeine Bishopp of Durham to whom it may referr; and the County Palantine of Durham was altered 27. H. 8. c. 24 that the Justices must be made in the King's name and by his Authority.

4. By the Patent of 20. Apr. 4^o Jac. the King doth grant and agree that Sir Thomas Gates and all such others as are and shall bee joyned to them of that Colonie shall beegin their first Plantation where they think fitt, beetweene the 34 and 41 degrees of the said latitude and have 50 Miles from the place of their First Plantation all alongst the Sea Coaste together with all the Islands within an Hundred Mile and an 100 Mile to the Land and none permitted to inhabitt or plant on the Back of the Colonie fol. 4. & 5.

5. By the Lord Baltimore's Patent this Election is taken away and part granted to him (viz) from Walkins point South which is in the 38 deegree of latitude to Lawares Bay North which is in the 41 deegree of latitude or thereabouts.

Inconveniences.

1. That the Lord Baltimore hath power to grant any part in ffee to whom hee please which may bee Aliens, Savages or Enemies of the Kingdome, and yet their children borne there shall bee denizens by express words of the Patent. fol: 7 & 8.

2. The Generall power fol: 7. to transport any persons is void beecause it takes away the Stat: 1^o Jac. C. 4. 3 Jac. C 5. & lest of 3^o Car. C. 2. & le generall non obst de fugitivis vel aliis quibuscunque Stat: will not serve but it ought to have bin specially mentioned.

It is inconvenient that the Lord Baltimore should have power to make peace or entertaine warre with any att his and his heires pleasure and soe to ingage all the rest of the English Colonies (which as to Strangers cannot bee distinguished the One Colonie from the other) by his and his heires owne voluntary Acts which matter is of that Importance as concernes the utter ruine or essentiall safety of the whole English Plantation in all that Country of America.

4. There is no restraint in the Patent of furnishing the

Savages with Armes &c and such like if in Case they should invade the other Colonies.

Colonial Papers. Vol. VI, No. 58.

5. The power of giving Honors, Lands, Priviledges and other Franchises to such as shall take of him will be in short tyme an Occasion to dispeople the King's Colonie and to people his with persons of all sorts whatsoever different from the other Colonies in Religion Assertion or otherwise.

6. The Lord Baltimore's Claim of debarring Trade with the Natives is of that Consequence as will disable all Planters and discourage all Adventurers which right of Trade doth de mere Jure as to an Adventurer or Planter in his proper nature essentially beelonge.

7. Royall and Imperiall Power which is granted in all things of Sovraignty saveing only Allegiance to the Kings Majestie, to the Lord Baltimore to bee granted to any Person in ffee Simple in Places soe remote and where the Kings Subjects are soe neere Neighbours may prove very dangerous by exalting the One and decreasing the other, the Counsellis reliefe and Actions of all the other Colonies beeing to depend on soe great distance as England from Virginia, the Lord Baltimore's Colonie haveinge power in themselves to manage their Affaires free from all dependancy on others.

8. The Power of putting Toll uppon the People in all Ports though it bee with their Consent is dangerous in Case of A Subject in soe great a Province.

Matter of Equity for the particular Persons
of the old Company.

1. The Order of the Councell 8. Octob: 1623. A New Grant directed if &c. for the settling of all private Interests and all Lands and Franchises as before.

2. 20. Octob: 1623 the Order of the Councell soe much as concerneth the private Interest noe man shall have any prejudice.

3. The like out of King Jame's Commission 25. July 22 Jac.

4. A Proclamation 13. May 1^o Car. that notwithstanding the Loyall proceeding his Majestie's Intent not to impeach the particular Interest of a private Planter or Adventurer.

5. A Letter from the Lords of the Councell dat: 24 Octob: 1625 to those in Virginia whereby his Majesty's Intent is declared to preserve every man's particular right and the planters to enjoy theire former priviledges with Addition.

The King's Commission to Captain Claybourne.

16. May 1631.

Colonial Papers. Vol. VIII, No. 32-1.

Charles by the grace of God Kinge of England, Scotland, France and Ireland, Defender of the faith. Whereas our

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32-1.

Trusty and welbeloved William Claybourne one of our Councill and Secretary of State for our Colony of Virginia, and some other Adventurers, with him have Condescended with our Trusty and welbeloved Councillor of both the Kingdomes Sir William Alexander Knt our principall Secretary for our Kingdome of Scotland and others of our loving Subjects, who have charge over our Colonies of new Scotland and new England to keepe a Course for interchange of Trade amongst them as they shall have occasion as also to make discoveryes for encrease of Trade in those parts. And because wee doe very much approve of all such worthy Intentions and are desirous to give good encouragement to their proceedings therein being for the releife and comfort of these our subjects and enlargement of our Dominions. Theis are to licence and authorize the said William Claybourne his Associate and Company freely without interruption from tyme to tyme to trade and traffique, for corne, furs, or any other Commodities, whatsoever with their ships, men, boates and Merchandises, in all Seas, Coastes, Rivers, Creeks, Harbors, lands and territories, in, nere, or about those parts of America for which there is not already a patent granted to others for the sole Trade. And to that effect wee require and command you and every one of you, and particularly our trusty and welbeloved Sir John Harvey Governor & the rest of our Councill of and for our Colony of Virginia to permit and suffer him and them with their said ships, boates, Merchandises, Cattle, Mariners, servants and such as shall willingly accompany or be employed by them, from tyme to tyme freely to repaire and trade, to and againe in all the aforesaid parts and places as they shall thinke fit and their occasions shall require, without any stopp, arrest, search, hinderance or molestation whatsoever, as you any every of you will answer the contrarie at your perill. Giving and by theis presentes granting unto the said William Claybourne full power to direct and governe, correct and punish such of our subjects as shall be under his Command in his Voyages and discoveryes. And for his soe doing this present shall be a sufficient warrant. yeoven at our Mannor of East-Greenwich, the sixteenth day of May in the seaventh yeere of our Raigne 1631

To our trusty and welbeloved our Governor and Councill of Virginia and to all our Leiutenants of Provinces and Countreyes in America, Governors and others, having any charge of Colonies of any of our subjects, and to all Captaines and Masters of ships and generally to all our subjects whatsoever which theis presente doe or may concerne.

Minutes of the Council for New England.

6. November 1632.

Colonial Papers. Vol. VI, No. 29. [Extract.]

Touching a new Pattent it was agreed that a Copy should be taken of the Lord Baltimore's late Patent of Delaware Bay in Virginia and that the same shall be delivered unto Sir Henry Spelman for the better enabling of him to prepaire the New Pattent.

Order of the Lords Comm^{rs} for Foreign Plantation.

3 July 1633.

Colonial Papers. Vol. VI, No. 76.

At the Starre Chamber the thirde of July 1633.

Present

| | |
|----------------------|--|
| Lord Keeper | Earl of Danby |
| Lo: Privy Seale | Lord Visc ^t Wentworth |
| Lo: High Chamberlain | Lord Visc ^t Falkland |
| Earl of Dorset | Lord Cottington |
| Earl of Bridgewater | M ^r Sec ^{ry} Windebanck. |

Whereas an humble Petition of the Planters in Virginia was presented to his Majesty, in which they remonstrate that some Grants have lately been obtained of a great proportion of Lands and Territorys within the lymitts of the Colonie there being the places of their Traffique, and so near to their habitations, as will give a generall disheartning to the Planters if they be divided into severall Governments, and a Barre to that Trade, which they have long exercised towards their Supportation and reliefe under the confidence of his Majesty's royall and gracious intentions towards them, as by the said Petition more largely appeareth; for as much as his Majesty was pleased on the twelveth of May last to refer to the Boarde the consideration of this Petition, that upon the advice and report of their Lordshipps, such order might be taken, as to his Majesty's wisdom should seeme best. It was thereupon ordered on the 4th of June last, that the Business should be heard the seconde Friday in this Terme, which was the 28th of the last Month, and that all parties interested should then attend, which was accordingly performed, and their Lordshipps having heard the Cause, did then order that the Lord Baltimore being one of the parties, and the Adventurers and Planters of Virginia aforesaid should meet together between that tyme and this day and accomodate their controversy in friendly manner if it might be, and likewise sett downe in wryting the propositions made by either partie, with their severall answers and reasons, to be presented

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to the Boarde this day, which was likewise accordingly done. Now their Lordships having heard and maturely considered the sayde propositions, answers and reasons, and whatsoever else was alleaged on either parte, did think fit to leave the Lord Baltimore to his Patent and the other Partie to the course of Lawe according to their desire; but for the preventing of further questions their Lordships did also think fit and order that things standing as they doe, the Planters on either side shall have free traffique and commerce each with other, and that neither parte shall receive any fugitive persons belonging to the other, nor doe any Act which may drawe a warre from the Natives upon either of them; and lastly that they shall sincerely enterteine all good correspondence and assist each other on all occasions, in such manner as becometh fellow-subjects and members of the same state.

Ex. F: Dickenson.

Colonial Pa-
pers. Vol.
VI, No. 78.

The King to the Governor and Council of Virginia

12 July 1633.

Trustie and Welbeloved wee greete you well. Whereas wee have lately receaved a Petition from your Lordshipp's government and the rest of the Planters in Virginia which we referred to the Lords of our Counsell who upon sundry deliberate hearings of the Lord Baltimore and those of your side did order that for so much as concerneth the Lord Baltimore there should be a mutuall correspondence betweene him and you, and you should agree in anything that may concerne the good and advancement of that plantation, which order our pleasure is shall be duly observed on both sides.

Now forasmuch as the said Lord Baltimore intends to transport to that part called Maryland, which wee have given him, a good number of our subjects who upon their arrivall and during the infancy of his plantation may perhaps have occasion to use the friendly helpe and assistance of you, and the rest of the old Planters there, in many occasions, for their better support in that remote part of our dominions wee therefore well approving his good endeavors, and intending the furtherance of his undertaking, doe hereby will and require you to use the said Lord Baltimore as well with that Courtesie and respect, that belong to a person of his rank and qualitie, and departed from hence with our speciall licence and in our very good grace and favour as also to suffer his servants and Planters to buy and transport such Cattell and other commodities to their Colony, as you may conveniently spare at reasonable rates and in all other things to hold that good correspondence with him and his planters, and to give them

from tyme to tyme such lawfull assistance, as may conduce to both your safeties and the advancement of the plantation of those Countries, wherein wee require you and the rest of our subjects there to joyne unanimously together and to use your best care and diligence. given under our Signett. at.

Colonial Papers. Vol. VI, No. 78.

Secretary Coke to Admiral Pennington.
19 October 1633.

Colonial Papers. Vol. VI, No. 84.

Sir,

yesterday complaint being made to the Lords at the starr chamber that a ship which caried men for the Lord Baltimore to his new plantation in or about New England: was the Master or Captaine contrairie to gone for Gravesend: the companie hav taken the oth of allegiance. Their Lo caused a letter to be written unto you al then present did subscribe) to make stay of that ship as shee passed by you in the Downs or else where. In that letter the ship is called by the name of the Charles of London, but since we are informed that her name is the Ark of London and that one Richard Low is Master and Captain Winter hath charge of the companie. Therefore I thought fit to certifie you with all speed that, that the ship may not escape by the error of the name so resting

your assured friend
to serve you
John Coke.

Whitehaule
19. Octob: 1633.

(Endorsed)
For his Majesty's speciall Service

To my Worthie frend John
Pennington Esq^{re} Admirall
of his Maj^s ship guarding the
Narrow Seas.

hast hast
hast hast
hast hast
hast hast
hast post hast
hast with
all speede

John Coke

From Whitehall This
19th of October at Tenne
of the Cloke in the
forenoon. received
at Byshopegate att 12.

[Sa]ndwich past three oclock
in the morning.
9. at night
Coke in the

Darford att 4 in the afternoone
Rochester past 6. at night.

Colonial Papers. Vol.
VI, No. 86.

To the right hon^{ble} the Lords and others of his Maj^{ties} most honorable Privy Councell.

Novemb: 1633.

The humble petition of James Clemants, John Herrerike, and John Smith plaintiffs against Lord Baltimore and Gabriell Hawley his deputy defendants.

Most humbly sheweing that whereas Gabriell Hawley his Lordshipp's deputy did entertayne men and women for Maryland part of Virginia and billeted them in the severall houses of your petitioners at xij^d the day. Soe it is that the said Gabriell Hawley just uppon the poynt of the shippes setting saile took the men soe entertayned from the said severall petitioners and pretended the Lord Baltimore his Master would give your petitioners good satisfaction. But they being thus taken away and your petitioners moveinge his Lordshipp for their severall paymente, which amounte in all to 60^l or thereabout (besides some other pertinent chardge) hee the said Lord Baltimore (for what reasons your petitioners cannot conceive, though they doubt the worse) assigns them over for payment to the said Gabriell Hawley who is now a prisoner in the fleet, from whom they cannot expect to gane it.

They therefore humbly pray that your Lordships will be favorably pleased to take it into your Lordships considerations, and to take order that your petitioners may receive satisfaction before my Lord Baltimore's departure, whose shipp is already falne down, or else it may trench much uppon their loss and ruin. And your petitioners as in humble duty bound shall dayly pray &c.

Colonial Papers. Vol.
VI, No. 87.

To the right hono^{ble} the Lords and others of his Maj^{ties} most hono^{ble} privie Councell.

November 1633.

The humble petition of Sir John Wolstenholme Knight and other planters with Captaine William Claiborne in Virginia.

Sheweth

That your petitioners have beene at a very greate charge in transporting of men, cattell discovering of trade, building of houses, and settling upon an Island, by them named the Island of Kent within the greate Bay of Chessepian in Virginia.

Which being comprehended within the limitts of the Lord Baltimore's Patent obteyned by his Lordshipp since the petitioners said greate charge and settling there.

They most humbly beseech your Honors that it may not bee taken from them but that they may have your Lordships

order to enjoy the same with freedome of Trade without any interruption, and that the said Lord Baltimore may settle in some other place. And as in dutie bound they will ever pray &c.

Colonial Papers. Vol. VI, No. 87.

Cecil Lord Baltimore to Sec^{ry} Windebank

15 Sept^r 1634.

Colonial Papers. Vol. VIII, No. 25.

Right Honorable,

Since the returne of my shipp from my Maryland plantation, I was severall times to waite upon your Honor at your house in London, to have acquainted you how readily Sir John Harvie complied with his Maj^{ties} commands in assisting, all he could my plantation, which he received in a letter from his Maj^{tie} procured for me by your Honor. Indeed he hath observed them in a very dutifull manner to the king and a very noble and friendly manner unto me, and therefore (seeing it was not my good fortune to find you in Towne, and my Wive's lying in Child bedd detayning me heere for some time) I have entreated my Bro: Peaseley to waite upon your honor on my behalf and to be a sutor to you to procure a letter of thankses from the king to Sir John Harvie, for that which he hath done and command to continue his care of my plantation: my Bro: Peaseley will likewise shew your honor some papers which I lately received from those parts concerning one Clayborne's malicious behaviour to me and my plantation there. If your honor be at leisure to peruse them, and that a letter from the king may be had you may please to take notice and insert what you think fitt of that business, in it, for Sir John Harvie's encouragement in assisting me against Clayborne's unlawfull proceedings there. If a letter from the King may not bee gotten so suddainly, before the departure of this shipp, by which I would send it which is already (as I heare) fallen downe into the Downes, and will sett sayle from thence within a few dayes; howsoever I humbly beseech you Sir to honor Sir John Harvie with a few lines from your self, to the afore-said purpose, as much as your honor shall think convenient: necessity obliges me to trouble you in this manner, for my plantation will be in greate danger of being overthrown now in the infancy of it, if it be not strengthened sometime by such favourable and lawfull protection as I now desire. I beseech you present my humble service to my Lady; and pardon this uncivill importunity of mine; for you have not in the world one that honors you more then does

your honors most affectionate
and humble servant
Cecilius Baltimore

Warder Castle

15 Septem: 1634.

Colonial Papers. Vol.
VIII, No.
26.

Secretary Windebank to Governor Harvey

18 Sept^r 1634.

Sir,

I understand from the Lord Baltimore of the favorable assistance, that you (in obedience to his Maj^{ties} commandments) have given to his people, at their first arrivall to plant in those parts, by vertue of his Maj^{ties} grant; and as I doubt not, but the King will take in good part, this your present conformity to his will and pleasure, as you will perhaps more particularly understand shortly by his owne Royall Letters, taking notice thereof to your contentment, so I am assured his Maj^{tie} will be very sensible of any disobedience, or undutifull interpretation that shall be given to his commands, by any there, when it proceeds either from faction or pride, presuming of impunity, by their farre distance from hence, or some other silly hopes heere, who should know, (if any such there be) that it is the duty of good subjects to obey and not to dispute their Souveraign's commandment, especially if they bee of the number of those that are trusted with place and governm^t, from whom his Maj^{tie} hath reason to expect a more ready conformity, then from others; and therefore you have done well to assist the sayd Lord Baltimore's proceedings in his plantation there, wherein your humanity to them no less appeared then your judgement, in conceiving that both plantations may well subsist together to the benefitt of both. And I do earnestly desire you to continue your assistance to his Gouvernement and Planters against the malicious practices of Clayborne, and as they shall have occasion otherwise for their benefitt and protection, and shall not be justly prejudiciall to the good of Virginia, in which you shall much oblige the Lord Baltimore, and mee for his sake, who will not fayle to acknowledge the courtesies you shall do his Lordshipp in those parts at my request, in any thing within the power of

To Sir John Harvey K^{nt} Governor
of his Maj^{ties} Plantation in Virginia.

Dated 18. Sept^r 1634.

Colonial Papers. Vol.
VIII, No.
27.

The King to the Governor of Virginia

29. Sept^r 1634

Trusty and welbeloved wee greete you well. So desirous wee are of the planting and civilizing of those parts of our dominions by our good subjects, as wee neither have nor will have any due means unattempted for the encouragement of

such, as (shal bee contented for and the publique benefitt and honor of our kingdomes, and for their particular commodity to transport themselves thither, and inhabitt that part of the world and as they shall find our continuall care of them in all occasions; the consideration whereof was a powerfull motive to us, to grant to the Lord Baltimore a part of that our territory of Virginia, upon the devolving of the old Companie's right therein justly to us, as also in respect of the vastness of that country, there being land and profit enough for the entertainment of many thousands and allso for that we judge conceived the difficulties of the worke would easily be overcome by multitude of hands and assistance, though of different bodies and societies yet all deriving their Interest from us. And being now informed that the sayd Lo: Baltimore to his greate charges hath accordingly begunn a plantation in Mariland, and that you have readily assisted his planters (in conformity to our command) at their first descent in those wilde parts, wherein wee (observe your dutifull obedience) to us and do take it in good part, giving thanks for the same, wee have thought good by these our speciall letters to require you to continue your assistance to them, by suffering them quietly to enjoy the country and profit thereof which we have granted unto the sayd Lo: Baltimore without disturbance or interruption, and by protecting his planters from the malice and injury of the Indians, or any other, as also by giving them leave to buy and transport such necessaries from your Colonies, as you may conveniently spare, and they have occasion to use; wherein you shall do us acceptable service, and give them such releefe in their commendable endeavors, as may both encourage them and produce benefitt to your government and plantation. The due performance whereof we expect from you and the rest of our Counsell and people there, as becometh good and dutifull subjects, and as you will answer the contrary dated at Hampton Court: 29^o Sept: 1634.

Colonial Papers. Vol. VIII, No. 27.

To Sir John Harvey Governor of Virginia.

Petition of William Clobery and others to the King.
? October 1634.

Colonial Papers. Vol. VIII, No. 32.

To the King's most Excellent Majestie

The humble petition of William Clobery, John De la barre and David Moorehead.

Sheweinge that the petitioners by vertue of your Maj^{ties} Commission the coppie whereof is hereunto annexed did sett

Colonial Pa-
pers. Vol.
VIII, No.
32.

to sea Capt: William Claiborne one of the Councell, and Sec-
retarie of Virginia for discoverie of Trade and settlinge planta-
tions in those parts which they have ever since prosecuted to
their greate coste, and charge, in transporting of Cattle, build-
ing of houses, and settling of people upon an Iland, by them
named the Iland of Kent, beinge within the greate Bay of
Chesepian in Virginia, and haveing discovered and purchased
the said Iland from the Natives of the said Iland and brought
the said trade and plantation to some perfection, after much
labor, coste and industrie, the Lord Baltimore hath compre-
hended the said Iland within the limitts of his Pattente latelie
obtained from your Majestie since your petitioners greate
charges disbursed and settlinge thereupon intendinge to dispos-
sess the petitioners thereof by some violent or undue proceed-
inge and as the petitioners are now informed by Letters from
them the said Lord Baltimore's Agents have shott at the peti-
tioners Men and boats goeing to trade there, and doe endea-
vour to affront and hinder them in their proceedings, which the
petitioners conceive to be much contrarie to your Majestie's
gracious intentions, that any of your subjects should be put
out of their plantations, discouraged or hindered in soe good a
worke, especially they haveing gone on upon your Majties
Comission, and settled the trade and plantation there, at greate
costs and charges before the said Lord Baltimore's Patent was
granted, and forasmuch as the last shippes that goe this year to
Virginia are now upon departure, and noe other conveyance is
to be had thither in a longe tyme after

May it therefore please your Most Excellent Maj^{tie} for your
petitioners encouragement in soe good a worke, now againe
to grant them your Majestie's Comission for Confirmation of
the said former Comission, and to declare therein your Majes-
tie's gracious pleasure and intentions, that the petitioners and
the said Claiborne shall peaceablie enjoy the said Iland, and
trade (and such other places, as they shall there first settle
upon (before others) freelie without any interruption or moles-
tation, either by the said Lord Baltimore, or any other person,
or persons whatsoever, and if any objection shall be made
against the said Capt: Claiborne, that the same may be deter-
mined by your royall Majestie or the Lords of your Majestie's
Councell here. And the petitioners as in dutie bound will
dayly pray for your Majestie's happy Raigne longe to continue.

The King to the Governor and Council of Virginia.

8. October 1634.

Signed Charles R.

Trustie and wellbeloved wee greete you well. By a petition exhibited unto us by our lovinge subjects William Clobery, John Dela-Barre and David Morehead, wee are given to understand that whereas by our Commission they had formerly traded, planted and inhabited an Iland neare to Virginia which they have nominated the Kentish Iland, and have to their greate charge not only sent over a good number of people and Cattle but bought the Interest of the Natives in that Iland. Nevertheless (as they informe) by pretence of a later pattent granted to the Lord Baltimore, some of his Companies have assaulted them and hurt some of the said Inhabitants, and endeavour to drive them out and prohibbitt their trade; which is contrary to justice and the true intention of our grant to the said Lord: wee doe therefore heereby declare our expresse pleasure to bee that the said planters be in noe sort interrupted in their trade or plantation by him or any other in his right: But rather that they bee encouraged to proceed cheerefully in soe good a Worke. And wee doe require you our Governor and Counsell their, and all other our Governors, Lieutenants and Officers in any of those Countries in America, to bee aydinge and assisting unto them, soe as they may peaceablie enjoy the fruits of their labor. And wee prohibitt as well the Lord Baltimore, as all other pretenders under him or otherwise to plantations in those parts to doe them any violence, or to disturbe or hinder them in their honest proceedinges and trade there. Given under our Signett at our honnor at Hampton Court the 8th of October in the tenth yeare of our raigne 1634.

To our trustie and weellbeloved our Governor and Counsell of Virginia, and to all our Lieutenants of Provinces and Countries in America. Governors and others having charge of Colonies of any of our subjects; and to all Captains and Masters of Ships and generaly to all our subjects whatsoever whome these presents doe or may concerne.

Governor Harvey to Secretary Windebank

16. December 1634.

Sir,

I shall put the daye wherein I did that service to my Lord Baltimore which deserved thanks from your Honor into the

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account of my happie dayes, next unto that day wherein I was designed to doe his Majestie service in this place; and for the respect I owe to your Honor and for the Noblenes I know to be in my Lord Baltimore and his designes I doe promise your Honor to do him and his all the service I am able: but I must sincerely let your Honor know that my power heere is not greate, it being limited by my Commission to the greater number of voyces at the Councell Table, and there I have almost all against me in whatever I can propose especially if it concerne Maryland; and these proceedings of the Councell do so embolden others that notwithstanding the obligation of Christianity and his Majestie's commands to be assisting to them in their first beginning, many are so averse as that they crye and make it their familiar talke that they would rather knock their Cattell on the heads then sell them to Maryland. I am sorry its not in my power to rule these exorbitant courses, but for their present accommodation I sent unto them some Cowes of myne owne, and will do my best to procure them more, or anything else they stand in need of. This faction I find greate cause to suspect is nourished from England for this Summer came letters to Capt: Mathewes who is the patron of disorder as your Honor will understand by the bearer hereof Lieutenant Evelin (and by his comportment in other matters as your Honor will finde in these papers) upon the reading whereof hee threw his hatt upon the ground scratching his head and in a fury stamping cryed a pox upon Maryland, many Letters and secrett intelligences hee and the rest of the Councell have especially Claybourne and many meetings and consultations, for which Letters if I had power to search, and to examine their Consultations I doubt not but to find notable combinations; I have written at large of the estate of this Colonie in my Letters to the Lords in generall to which I remitt your Honor, humbly craving pardon for my brevity which is enforced by my indisposition of health at this tyme, so humbly presenting to your Honor my best service and respects I take my leave and still will rest.

your Honor's very affectionate servant
John Harvey.

Virginia 16th of
December 1634.

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Captain Clayborne to Secretary Coke

23. May 1635.

Ever honoured Sir,

How unhappy is this Colony to returne to his friends and welwishers a yearly increase of infelicities, which though they

seeme ever at the height, yet new addition arises by some unfortunate accidents. And behold now tumults and broyles, wrongs and oppressions perpetrated with an high hand and not without undue courses in the alteration of Government and such violence acted as hath shewed itselfe in the effusion of native blood undoubtedly God will make away for his glory through the injustice of men and the end will be an establishment of this long languishing Colony. These actions here befell in a time while I at home was alsoe sett upon on all sides by my cruell neighbours who have not only trampled over all right but contemned the express commands of his Majestie under the protection whereof I deemed myselfe soe safe that I provided not enough against their violence and soe perished by security not deeming that I had such enemies or such men to deale with as would spurne at the King's Royall Commands upon them. The particulars, I need not trouble you with these inclosed Papers and relations will be too much testimony of the misfortunes that swallow us. It seemes a wonder to me that Sir John Harvey alwaies left to himselfe without violence should not gaine a power to reestablish himselfe but all men were wronged and all men even good and bad had forsaken him. A strange thing a Governor should soe demeane himselfe for my part I am ignorant of all these things and my own burthens are weight enough to presse downe my thoughts. In which I shall possess patience untill it shall please God to move his Maj^{ties} Royall heart and the Lords minds to releive and support us men oppressed and wronged with as greivous pressures as ever English men indured at the hands of their Countrymen. For the future I advise as litle innovation may be done as the nature of the affaires beare and that they expect with patience redress from the meanes his Maj^{tie} shall please to appoint. I desire your Candor may excuse my lynes which I desire to abbreviate rather than to inlarge with the sad events of unhappy affaires rather coveting to mourne within our owne bosomes than transferr it to the eares of others. Wee beseech a speedy signification of his Majestie's pleasure to abate the fury of our advesaries. In the interim we put up our supplications to the King of Kings to deliver us from them. I humbly take my leave and remaine,

your most humble servant
W. Clayborne.

Eliz. Citty
23rd May. 1635.

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A Breviate of Captaine Claiborne's
Petition to his Majestie.

May 1631 — April 1635.

- 16 May, 1631. His Majestie's Commission was granted to Captaine Clayborne and Partners.
- 17 Aug., 1631. The Ile of Kent was planted and soone after purchased of the Indyans as may appeare.
- 20 Jun^r, 1632. The Lord Baltimore obteyned a patent of land not cultivated nor planted.
- June, 1633. Upon reference from the Kinge to the Lords. It was ordered that the Ile of Kent should not be included in Maryland Patent and that there should be free Trade.
- 27 Mar., 1634. Maryland was planted.
- 8 April, 1634. By proclamation they interdicted trade, surprised boates, some out of their lymitts.
- 22 July, 1634. The Lords wrott Letters to the Councell of Virginia, that his Maj^{tie} out of his royall favor was pleased to let them knowe that it was not intended the interest by which men had settled should be impeached, but to enjoy their estates and trades, yet this the Marylanders denied.
- 8 Oct., 1634. Upon Complaints his Maj^{tie} was pleased to confirm the said Commission by his royall Letters, declaring that it was contrary to Justice, and his Maj^{ties} intention in the said Lords Patent, commanding them not to molest us, yet they slighted the Commission, and Letter, and though they were made acquainted with them, tooke our boates and goods.
- 5 April, 1635. By this meanes we were brought to extreme want of Corne that some were nere starved; and thereupon sending a small boate to redemand our vessels, they slew 3 of our men and hurte 3 more.
- April, 1635. They have ever since hindered us in our Trade. They have accused the petitioners unjustly of many crimes and conspired against him, to his utter undoeing as he can make appeare.

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Order of the Governor & Council of Virginia

14 March 1634.

Present

Sir John Harvey K^t Gov^r
Cap^t John West
Cap^t Sam^l Mathew
Cap^t Claiborne
M^r W^m Farrar

Cap^t John Utie
Cap^t Thos. Purfry
Capt Hugh Bullock
Cap^t W^m Perry

Captain W^m Claiborne requested the opinion of the Board, how he should demean himself in respect of the Lord Baltimore's Patent and his deputies now seated in the Bay for that they had signified unto Captain Claiborne that he was now a member of their plantation and therefore should relinquish all relation and dependance on this Colony. It was answered by the Board that they wondered why there should be any such question made, that they knew no reason why they should render up the Right of that Place of the Isle of Kent more than any other formerly given to this Colony by his Maj^{ties} Patent, and that the right of my Lords Grant being yet undetermined in England, we are bound in duty and by our Oaths to maintaine the Rights and Priviledges of this Colony. Nevertheless in all humble Submission to his Majestie's Pleasure we resolve to keep and observe all good Correspondency with them, no way doubting that they on their parts will intrench upon his the Interests of this his Majesty's Plantation.

Colonial Papers. Vol. VIII, No. 4.

Captain Mathews to Sir John Wolstenholme.

25. May 1635.

Colonial Papers. Vol. VIII, No. 65.

Honored Sir,

I have made bold to present you with divers passages concerning our late Governor by the hands of my worthy friend Sir John Zouch. But such was the miserable condition we lived in that it dayly gives just occasion of new complaints which I doe hereby presume to acquaint you withall which I beseech you to credit as they are true in every particular. Sir you may please to take notice that since Sir John Harvie his deteyning of the Letters to his Majestie, the Lords and others concerning a Contract of which Sir John Zouch had onely bare Copies such as the Secretary would give without either his or the Clarkes hand Notwithstanding he promised me to certefie them under his hand where upon Sir John Zouch declared before his departure that it was not safe for him to deale as Agent in the Cuntreyes affaires as they had desired him to doe having no warrant for his proceedings. And therefore desired that if the Colony would have him deale therein for them They should give him further authority under their hands. To that purpose when a Letter was drawn and carried to the Burgesses to subscribe. The Consideration of the wrong done by the Governor to the whole Colony in detayning the foresaid Letters to his Majestie did exceedingly perplex them, whereby they were made sensible of the miserable condition of the present Governor wherein the Governor usurped the whole power in all causes without any respect to the Votes of the Councill whereby justice was now done but so farr as suited

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with his will to the great losse of many mens estates and a generall feare in all. They had heard him in open Court revile all the Councell and tell them they were to give their attendance as assistants onely to advise with him which if liked of should pass otherwise the power lay in himselfe to dispose of all matters as his Majestie's Substitute. Next that he had reduced the Collony to a great straight by complying with the Marylanders soe farr that betweene them and himselfe all places of trade for Corne were shutt up from them and no meanes left to relieve their wants without transgressing his Commands which was very dangerous for any to attempt. This want came upon us by the increase of above 2,000 persons this yeare to the Colony as alsoe by an unusuall kind of wevell that last yeare eate our Corne (againe they saw a daungerous peace made by him with the Indians against the Councell's and Cuntreye's advice that although the Indian had offered any insolent injuries, yet he witheld us from revenging ourselves and had taken of them satisfaction for many Hoggs, of which in one place a Lyst was brought in of above 500: which satisfaction the Interpreter justifies he had received for the Governor's owne use. The Inhabitants also understood with Indignation that the Marylanders had taken Capt: Clayborne's Pinnasses and men with the goods in them whereof they had made prize and shared the goods amongst them, which action of theirs Sir John Harvey upheld contrary to his Maj^{ties} express Commands in his Royall Letters and the Letters of the Lords, which Letter from his Majestie he did not communicate to the rest of the Councell though Capt: Clayborne in his Petition had directed them to the whole Board, But said they were surreptitiously gotten. Sir these and infinite number of perticular mens injuries were the grounds of their grieve and the occasion of the Petition and Letter that they exhibited to the Councell for some speedy redress of these evils which would otherwise ruine the Colony. These generall grievances made some of the people meet in some numbers and in an unlawfull manner yet without any manifestation of bad intents only desires to exhibit their complaints as did appeare upon strict examination though Captain Purfrey had in a Letter accused them in a neare sense to rebellion, which since he denyed under his owne hand being usuall with him to affirme and deny often the same things. The Governor having Intelligence of this Petition grew enraged and sent out his warrants to apprehend the Complaynants which some of the Councell accordingly executed, upon these appearances he himselfe only constituted a new Sheriff at James Citty a defamed fellow to whom he committed the keeping of the Prisoners in Irons, Some of them desiring the cause of their Committment to whom he answered that

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they should at the Gallows, presently the Councell being called together he declared it necessary that Marshall law should be executed upon the Prisoners. But it was desired they might have legall tryall soe growing into extreme Coler and passion after many passings and repassings to and fro at length sate downe in the Chayre and with a frowning Countenance bid all the Councell sitt. After a long Pause he drew a Paper out of his Pockett and reading it to himselfe said to the Councell, I am to propound a question unto you. I require every man in his Maj^{ties} name to deliver his opinion in writing under his hand and no man to advise or Councell with the other but to make a direct answer unto this proposition (which is this) What doe you thinke they deserve that have gone about to perswade the people from their obedience to his Maj^{ties} Substitute, And to this I doe require you to make your present Answer and no man to advise or interrupt with other. And I begin with you M^r Menefie; who answered I am but a young Lawyer and dare not upon the suddain deliver my opinion. The Governor required that should be his Answer under his hand, M^r Farrar beganne to complaine of that strong command, the Governor cutt of his speech saying in his Majestie's name I command you not to speake till your turne; Then myselfe replyed I conceive this a strang kind of proceeding, instantly in his Maj^{ties} name he commanded me silence. I said further there was no President for such a Command whereupon he gave me leave to speake further. But it was by a Tyrant meaning that passage of Richard the third against the Lord Hastings, after which relation the rest of the Councell began to speake and refused that course. Then followed many bitter Languages from him till the sitting ended. The next meeting in a most sterne manner he demanded the reason that wee conceived of the Cuntreye's Petition against him. M^r Menefie made Answer the cheifest cause was the detayning of the Letters to his Maj^{tie} and the Lords. Then he rising in a great rage sayd to M^r Menefie and doe you say soe? he replyed yes; presently the Governor in a fury went and striking him on the shoulder as hard as I can imagine he could said I arrest you of suspicion of Treason to his Majestie. Then Captain Utie being neare said and wee the like to you Sir. Whereupon I seeing him in a rage, tooke him in my Armes and said. Sir there is no harme intended against you save only to acquaint you with the greivances of the Inhabitants and to that end I desire you to sitt downe in your Chayre. And soe I related to him the aforesaid greivances of the Colony desiring him that their just complaints might receive some satisfaction which he altogether denyed soe that sitting ended. After wee were parted the Secretary shewed a Letter sent up

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by Captain Purfrey to the Governor which spake of dangerous times that to his knowledge the wayes were layd, which when wee had considered with the things before specified wee much doubted least the Inhabitants would not be kept in due obedience if the Governor continued as formerly and soe acquainted him therewith. The which opinion of ours he desired under our hands the which being granted him he was requested the sight of his Maj^{ties} Commission; and the same being publicly read, (notwithstanding any former passages) wee of the Councill tendred the Continuance of our assistance, provided that he would be pleased to conforme himselfe to his Majestie's pleasure expressed by his Commission and Instructions, the which request was in no part satisfied, whereupon being doubtfull of some Tyrannical proceedings wee requested the Secretary to take charge of the Commission and Instructions untill wee had time to consider of a safe course for the satisfying of the Inhabitants Petition and the safety of the Governor's Person which by reason of Captain Purfrey's Letter wee conceived to be in some danger whereupon we appointed an Assembly of all the late Burgesses whereby they might acquaint us with their greivances as may appeare by their Petition, wee broke up for that meeting with a resolution to returne againe within six dayes having according to Sir John Harvey's desire, appointed a sufficient Gard for the safety of his Person, within three dayes after he departed from James Citty and went unto the Mills to the house of one William Brockas whose wife was generally suspected to have more familiarity with him then befitted a modest woman, where he thought himselfe soe secure that he dismissed his guard. Soone after the Councill and Burgesses according to the time prefixed mett at James Citty. But before wee entered upon any business the Secretary shewed us a Letter which he had received that morning from Sir John Harvie (the true Coppie whereof I have here inclosed) And notwithstanding his threats therein the Assembly proceeded according to their former Intentions. The next morning the Secretary shewed us another Letter from Sir John Harvie wherein he had required him to redeliver him his Majestie's Commission and Instructions charging him upon his Alleagance to keepe secresie therein. But the Councill had before thought of his late practises with the Secretary concerning the detayning of the former proceedings had committed the charge of the Commission and Instructions to M^r George Menefie untill all differences were settled. And for the effecting of the same wee proceeded to give a hearing unto the greivances of the Inhabitants which were innumerable; and therefore it was thought fitt that their generall greivances only should be pre-

sented unto the Right hon^{ble} the Lords Commissioners for plantations, omitting particular complaints which would have been over tedious untill a fitter opportunity. Sir wee were once resolved not to proceed to the Election of a new Governor but finding his Maj^{ties} Commands to the Contrary that upon the death or absence of any Governor to make a new Election. Therefore untill wee heare of his Maj^{ties} further pleasure wee have made choice of Capt: John West an auntient Inhabitant who is a very honest Gentleman of a noble family being brother to the Lord Laward sometimes Governor of Virginia. I beseech God to direct his Maj^{tie} in appointing of some worthy, religious Gentleman for to take charge of this his Colony and I doubt not by God's assistance and the industry of the people but Virginia in few yeares will flourish. You may please to take notice that Capt: Clayborne two days since repayred unto us for redress against the oppressions of the Marylanders who have slaine three and hurt others of the Inhabitants of the Ile of Kent. Notwithstanding their knowledge of his Maj^{ties} late express Letter to command freedome of Trade the true Copie whereof I have here inclosed. I doe believe that they would not have committed such Outrages without Sir John Harvie's instigation however in conformity to his Maj^{ties} command wee have entreated Capt: Utie and Capt: Peirce to sayle for Maryland with Instructions and Letters from the Governor and Councell desiring them to desist their violent proceedings promising them all fayre correspondencie on the behalfe of the Inhabitants of the Ile of Kent untill wee understood his Maj^{ties} further pleasure. In the meane time we rest in expectation of their Answer according to which wee intend to proceed. In the which I beseech God to direct us for the best. I conclude with an assured hope that Sir John Harvie's returne will be acceptable to God not displeasing to his Maj^{tie} and an assured happiness unto this Colony wherein whilst I live I shall be ready to doe you all the true Offices of a faythfull freind and servant.

Sam: Mathews.

From Newport Neewes
this 25th May. 1635.

Order of the Privy Council
2. July. 1635.

At whytehall the seconde of July 1635.

Present

Lorde Archbishop of Canterburie

Lo: Privie-Seale

Er: of Dorset

Lord Cottington

M^r Secret: Windebanck.

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Whereas it appeareth that the Colonie in Virginia is full of contentions, and they of the Counsel there divided by faction, whereof, and of the refractarie and insolent caryage of sundrie persons, Sir John Harvey Governor of the said Colonie hath complained to the Lords Commissioners by sundrie Letters, charging some of them also with open contempt of his Maj^{ties} autoritie, besides the injuries done by them to the Lord Baltimore, to the greate disturbance and detriment of his Plantation in Maryland, especially by Willyam Cleybourne; and they of the other partie, doe nolesse complaine of wrongs done to them. The said Lords Commissioners considering the dangerous consequence of such contentions, tending to the disservice and dishonor of his Maj^{tie}, and to the desolation and ruine of the aforesaid Colonie, after the spending of so manie yeares, and of so greate a masse of monyes, that have bene employed thereon, doe therefore hereby require his Maj^{ties} Attorney generall to call before him, and examine the petitioners on both sydes, who are here, with all convenient expedition; and they do lykewise order, that for the better discoverie of the truth, all the Letters written by Sir John Harvey, and the other wrytings of that subject, shal be delivered to him his Maj^{ties} said Attorney, by the Clerke of the Counsell who attendeth the Commission (to be returned back when hee hath made full use of them) and that having perused the same and heard the allegations on both partes, he shall certifie their Lordships thereof, particularly in wryting, together with his opinion at their next sitting.

Ex. J. Dickenson

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Governor Harvey to Secretary Windebank

14. July 1635.

Right Honorable,

I doubt not but that your Honor will admire at my comming from my charge without any licence or other directions from his Maj^{tie} or the Lords; But it may please your Honor to calle to mynde howe that in my last Letter concerning the affayres of Virginia, I signified that the Assemblies being composed of a rude ignorant, and an ill conditionde people, were more lykelye to effect mutinye then good lawes and orders, especiallie whilst the Councell gave them such examples: what I then feared I soone after founde, (but I must confess) their exorbitances have by much exceeded my expectation: for presently after the departure of the ships, (having received an information of sum mutinous Assemblies I sent for the Councell, as also warrants for the apprehending of the chieff

mutineers; the Councell I called for theyr Advice in so dangerous a business; But I found them so farre from intending any good, that they came armed with a strength to surprise mee; and laying violent hands upon mee, charged mee with Treason, for going about (as they sayde) to betray theyr Forte into the hands of theyr Enemies of Marylande, telling mee that I must resolve my selfe to goe presently into Englande, Theare to make Answer to the Countries Complaints agaynst mee, forthwith setting at libertie such of the mutiny whome I had caused to be layd fast in irons. In the next place they called an Assembly of the Burgesses and sum few dayes after made a new Governor, my self being yet resident in the Countrie; a large account of all theyr proceeds, I shall with all convenient speed in person render unto your Honor, in the meane tyme I thought these but of Dutye. As also to signifie to your Honor, that landing at Plimouth the 24th of this month I have made use of the Autoritie of the Mayor of the Place, to fasten upon two persons which came in the ship with mee, the one a person principally employed up and downe the Collonie) to persuade the Inhabitants to subscribe to a cabball of pretended grievances agaynst mee, the other expressly sent with Letters from the Councell and theyr unlawfull Assemblie to theyr Agents and abettors in Englande; I have also used the same meanes to fasten upon theyr Letters, which being brought to view no doubt but already the malice of theyr rebellions, Actions and Intentions may be truly discerned; and it is to be feared that they intend no less then the subjection of Maryland, for whilst I was aborde the ship, and readie to depart the Collonie, theare arrived Capt: Claborne from the Ile of Kent, with the newes of an hostile encounter twixt sum of his People and those of Marylande; and Captaine Francis Hooke tould mee that by the relation of sum of Captin Claborne's owne companye, it was they that sought out the Maryland Boates, which were trading among the Indians and twice assaulted them, and that theare were sum hurte and slayne on bothe sydes, and at Captin Claborne's request two of the Councell were dispatchd for Maryland, with a message, unto which, if those of Maryland condescend not, they intend to supplant them, and to send them home as they have don mee, I presume M^r Kemp's letter will more fully informe your Honor therin After many troubles and a wearisom passage I am bound to repose a day or two I will hasten up to render an account to your Honors of all matters, concerning my Trust, in the meane tyme I rest,

Most readie to obey
your Honors commands
John Harvey.

Plimouth the 14th of July
1635.

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Lord Baltimore's Memorial

22. December 1635.

That his Maj^{tie} will be pleased to give order that Cap: John West, Samuell Mathews, John Utye, and William Pearce, bee sent for into England to answer theyr misdemeanors they beinge the Prime actors in the late Mutenye in Virginia.

To give warrant to M^r Attorney Generall to draw a newe Commission for Sir John Harvey for the Government of Virginia, with an Enlargement of his powers:

That itt may be referred to M^r Secretarye Windebanke to prepare such Instructions for Sir John Harvey as shal be fitt for his Maj^{ties} service in Virginia.

The Lord Baltimore desires that M^r Secretary Windebanke wil bee pleased if any Petition or question should be made touching Maryland to gett it referred, to bee examined in the Countrey, in regard noe profe can heare be made of the truth, But if that cannot be done, then to move the kinge to heare itt.

Colonial Papers. Vol.
IX, No. 7.

Governor West to the Lords Comm^{rs} for Plantations.

28 March 1636.

Most Reverent and Right Honorable,

Within few dayes after Sir John Harvey had expressed his Intent to the Councell heere of departing the Colonye, we opened his Maj^{ties} Commission wherein we found ourselves enjoined in case of vacancy, whither by death or occasioned by publike or private affayres to elect among our Number one to supply the place untill further Command eyther from his Maj^{tie} or your Lordshipps received, which choice made by pluralitie of voices his Maj^{ties} Commission expressly ratifies. The Councell with one consent were soe pleased as to fasten theire votes on mee, to which the peoples' suffrages as willingly condescended. Neyther was presumption the cause of soe hastye a choice before Sir John Harvey was out of the Capes, as it is injuriously objected by some, but I hope your Honors will conceive a truer and a more direct reason necessitated it, for wee deferred the election untill the last day and hour of the Counsell's sitting after which tyme it was impossible to effect it with a full conformity to his Maj^{ties} Commission, and reserving our duetye of information to your Lordshipps, the dwellings of some of the Counsell being remote one hundred miles from others of them, and from the place of the shipp's riding, that one ship, being the last of that yeare, left in the river soe that unless we had then made our choyce we could not for want of the full number of the Counsell have duely

performed it, neyther could wee have given your Lordships a satisfaction, that wee had still preserved the old forme of government prescribed by his Maj^{tie}, which we are resolved soe punctually to observe that as formerly wee have ingaged ourselves to your Lordships wee shall not untill further Instruction swerve from thence though but in things indifferent. If by your Lordships' favorable mediation it shall please his Maj^{tie} to confirme the Act of the Countrey I shall to my uttmost express my self a faythfull and zealous servant, or otherwise with as devoted a submission be ready to give up my charge where his Maj^{tie} shall place it. Your Lordships may please to be informed that the Colony, hath this yeare received an increase of one thousand six hundred and six persons, but I find withall that much imputation undeserved lyeth upon the Countrey by the Merchant's crime, whoe soe pester theire ships with passengers that through throng and noysomeness they bring noe lesse then an infection among us which is soe easily to be distinguished from any cause in the malignitye of the clymate, that where the most pestered shippes sent their passengers they carry with them almost a generall mortallitye, which my duetye therefore prefers to your Lordships' serious consideration. Without infringing his Maj^{ties} grant to the Lord Baltimore wee have taken the nearest course for avoyding of further unnaturall broiles between them of Maryland, and those of the Ile of Kent. As we find those of Maryland in our Limit we bind them in deep bonds, to keepe the king's peace towards those of the Ile of Kent, as alsoe Capt: Clayborne the Commander of the Ile of Kent towards those of Maryland. As further Cause shall require, your Honours shall receive an accompt from

Colonial Papers. Vol. IX, No. 7.

your Lordships Humbly devoted servant
John West.

Point Comfort this 28th
of March 1636.

Lord Baltimore to Secretary Windebank.

25 February 1637. [1637⁶].

Colonial Papers. Vol. IX, No. 42.

Right Honorable,

Since I waited on you, I have (heere in the Country) further considered of the proposition which I made unto your Honor, concerning the advancement of his Maj^{ties} service in Virginia, and I have desired my Brother Peaseley to acquaint you with my resolution in it; which I will infallibly performe, if his Maj^{tie}, please to accept of it, for you may be most assured that I would not ingage my credit in a business of such importance and especially to such persons; before I were very well

Colonial Papers. Vol. IX, No. 42. assured of my ability to performe, with ample satisfaction what I undertake. I do presume by him, also, to propose unto you a way of moving the king in this business; such a one as I conceive, may be most likely to take effect, or in case, his Maj^{ty}, for private reasons, approve not of the proposition, the refusall of it, in that way, will, I conceive, be less prejudiciall to me: but this I humbly submit to your better judgement. If the buisness take effect, as the king will receive a greate benefitt by it, so will it be of good consequence to me, which I shall accordingly acknowledge to your honor, and besides I shall thereby be inabled to do you such further service as shall make me appeare unto you a really gratefull man.

I am much your débtor Sir, for former favours and in especiall for your present care of my Newfoundland buisness that concernes me very much, which I shall likewise really acknowledge to you; for I know by good experience your noble integrity and favour to me to be such, as that you will by the best of your Indeavours protect and preserve from injury

your honor's most affectionate
and humble servant

C. Baltimore.

Warder Castle 25th Feb: 1636.

Colonial Papers. Vol. IX, No. 45.

Memorial of Lord Baltimore to Sec.^y Windebank

[March 1637.]

The Lord Baltimore having considered of the discourse that was betwixt M^r Secretary and himself, concerning his desire to do his Majestie service in Virginia doth conceive (with submission to M^r Secretary's better judgement) this to bee a fitt way to propound the matter to the king.

That M^r Secretary may bee pleased to take notice to his Maj^{ty} how sensible he hath often found the Lord Baltimore to bee, for the greate favors hee hath received from the King, in his late occasions, and how desirous hee is to do him some acceptable service, wherein hee may express his duty and gratitude to his Majesty.

The consideration whereof hath invited him, to take some paines to informe himself of the present state of Virginia, whereof hee hath acquired so much knowledge, as hee well understands the great prejudice the King suffers there, by not receiving so much profit from thence, as he ought to have, and is due; whereupon hee did assure M^r Secretary that hee would undertake to improve his Maj^{ties} Revenue from thence eight thousand pounds yearely, more then now he received for, or, by reason of that plantation, and this his Lordship will do, without laying any new, or other tax or imposition on the Planters, then what they now do, and will most willingly pay.

But because this advancement of the King's revenue in Virginia cannot bee effected, unless the Lord Baltimore do repaire and reside some time there, which he cannot with his safety well do, except hee bee authorised and enabled by having the government of that country, whereunto, though Mr Secretary perceives the Lord Baltimore hath no ambition or affection, yet for the advancement and perfourmance of this service hee doth verily thinke, that upon his Maj^{ties} command the Lord Baltimore would accept of the government, and two thousand pounds yearely for the support thereof, payable out of that improvement of Rent, and for that purpose would so accommodate his private occasions heere, as hee mought bee ready to transport himself thither, with as much speede as his Maj^{tie} and this service required. And that if his Maj^{tie} were pleased to speake with the Lord Baltimore, hee would upon signification of his pleasure, make his present repayre from the Country, to give him perticular and perfect satisfaction, of the meanes and manner, to raise this increase of Revenue.

Colonial Papers. Vol. IX, No. 45.

Petition of Lord Baltimore to the King.

? May 1637.

Colonial Papers. Vol. IX, No. 54.

To the Kings most Excellent Majestie

The humble Petition of Cecil Lord Baltimore.

Shewing:

That whereas your Majesty was graciously pleased in the 8th year of your Raigne to grant unto your Petitioner and his heires under the great Seale of England, a tract of land neare adjoining to Virginia, which in honor of our most gracious Queene, you were pleased in the said Charter to call by the name of the Province of Maryland, and therein alsoe to grant unto your said Petitioner, severall priviledges and immunities together with the Jurisdiction and Government of the said Province for his better encouragement to proceed in the planting thereof; having by express words therein the soveraigne dominion and the Allegiance due unto your Maj^{tie} your heires and successors.

And whereas your Subject is informed that upon a representation and petition lately exhibited to your Maj^{tie} for the renewing of a Virginia company, you have been pleased to grant their request therein; and although your Maj^{tie} out of your gracious favour and care of your Petitioner, hath as he is given to understand, been pleased to signify your pleasure att the Councell Boord, that you will not have your Petitioner's Interest in the soyle and land of the said Province of Maryland, any way impeached by the said intended Grant of the new Corporation, yet that your Maj^{tie} doth intend thereby to

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infringe the aforesaid jurisdiction and government thereof granted as aforesaid to your Petitioner, without which it will be impossible for him to make any profit or benefit by his said Plantation, according to your Maj^{ties} gracious intentions towards him, which by many reasons may be made evident. And your Subject is confident your Maj^{tie} will not give way to a thing so notoriously tending to his destruction, especially considering that his said Grant was passed unto him after many References had there upon to divers of the Lords of your honorable Privy Councell, who both before and since the passing of it have oftentimes notwithstanding all the objections to the contrary allowed and confirmed the same unto him; whereupon and in confidence of your Maj^{ties} royall Justice and favor for his quiett enjoyment of it, he hath employed the greatest part of his fortune in the preservation thereof.

May it therefore please your most Excellent Maj^{tie} that your Subject may enjoy the full benefitt of his said Grant, and that you will be pleased to give directions to your Attorney and Sollicitor Generall, that nothing may pass from your Maj^{tie} in the new intended Grant aforesaid nor in any other which may any way impeach either the Jurisdiction, Government or other Interest granted to your Petitioner in the said Charter of Maryland.

And your Petitioner shall daily pray for your Maj^{ties} long and happy Raigne over us.

PROCEEDINGS
OF THE
COUNCIL OF MARYLAND.

CECILIUS CALVERT, LORD BALTIMORE,
Proprietary.

LEONARD CALVERT,
Governor.

1636-1647.

[Conditions of Plantations, 1636.]

Liber F.
p. 28.

locus + Sigilli.

Whereas the Adventurers to plant that our Province of Maryland, have made Suit unto us that Wee would be pleased to Grant unto them under our Great Seal of the Same Province Such proportions and quantities of Land there upon Such considerations and agreements, as We have heretofore propounded and promised to grant the Same unto all Such Adventurors, forasmuch as We are bound in honour really to perform the Same in all points, These are therefore to will and authorise you, that presently upon receipt hereof You make or cause to be made under our Great Seal of that our Said Province, unto every first Adventuror, for every five men aged between Sixteen and ffifty years, which Such Adventuror did bring into our Said Province to Inhabit and plant there in the year of our Lord 1633. and unto his heirs forever a Grant of 2000 acres of Land of English measure, for the yearly rent of 400^l weight of good wheat and to every Adventuror which in that year did bring a less number then five men into that our Said Province of the ages aforesaid to Inhabit and plant there, and unto his heirs forever, a Grant of 100 acres of Land (of like measure) for himself and 100 acres more for his wife (if he brought any) and for and in respect of every Servant, and ffifty acres for every Child under the Age of Sixteen years for the rent of 10^l of wheat, yearly for every ffifty acres, And to every other Adventuror which hath adventured to transport men into our Said Province of the age aforesaid in the year of our Lord 1634 or 1635 for every 10 men which Such Adventuror did bring into our Said Province, in either of the Said years and to his heirs forever, a Grant of 2000 acres of Land of the like measure for the yearly rent of 600^l weight of good wheat, And to every other Adventuror which in either of the Said years did bring a less number then ten men as aforesaid and unto his heirs forever a Grant of 100 acres Of Land (of like measure) for himself, and 100 acres more for his wife (if he brought any) and for and in respect of every Such Servant 100 acres, and for every child under the age of Sixteen years, 50 acres for the yearly rent of 10^l weight of wheat for every ffifty acres, And to every other Adventuror which hath adventured to plant and transport any men into our Said Province,

Liber F. Since the year of our Lord 1635, or which at any time hereafter Shall transport any men of the age aforesaid to Inhabit and plant there, untill Some other or further conditions of Plantation Shall be by us propounded and published to Adventurors, and an authentick coppie of Such Conditions, by us Signed and transmitted into our Said Province, for every five men which he or She Shall Soe transport thither, and to his or her heirs forever, a Grant of 1000 acres of English measure for the yearly rent of 20^s (to be paid in the Commodities of the Country) for every Such 1000 acres And to every other Adventuror which within the time next afore mentioned, hath or Shall transport any number of persons less then five, a Grant of 100 acres of Land for him or herself and 100 acres more for and in respect of his wife (if he brought any) and as much for and in respect of every man Servant, and fifty acres more for and in respect of every child under the Age of Sixteen years, and for and in respect of every maid Servant under the age of 40 years which he or She hath or Shall So transport thither, and to his or her heirs forever for the yearly rent of 12^d for every fifty acres.

And We Doe further will and authorise you that every 2000 acres, and every 3000 acres, and every 1000 acres of Land So to be passed or Granted as afores^d unto any Adventuror or Adventurors, be erected and created into a Manor to be called by Such name as the Adventuror or Adventurors Shall desire, And We Doe hereby further authorise you, that you cause to
 p. 30 be Granted unto every of the Said Adventurors within every of their Said Manors respectively and unto his or their heirs, a Court Baron and Court Leet, to be from time to time held within every Such Manor respectively And to the end you may the better be Informed in what manner to pass every Such Grant Court and Courts as aforesaid, according to our Intention, We have Sent unto you under our hand and Seal, a draught of a Grant of a Mañor Court Leet, and Court Baron, and a Grant of a ffreehold, w^{ch} presidents you are to follow changing only the Adventurors names, the Rents and Conditions of Plantacon as the Case Shall require, for doeing whereof this Shall be your Sufficient warrant, So We bid you heartily ffarewell, Given at Portsmouth the 8th of August 1636.

Signed: C: Baltemore

To our Dear brother M^r Leonard Calvert
 Esq. and o^r Lieuten^t General of the Province
 of Maryland, or to any other o^r Lieuten^t Gen^l
 there for the time being.

Dear Brother

locus + Sigilli.

I would have you to pass in ffreehold to every of the ffirst Adventurors, that Shall claim or

desire it, and to their heirs ten acres of Land within the platts assigned or to be assigned for the Town and ffields of S^t Maries, for every person that any of the Said Adventurors transported or brought into Maryland, according to their Conditions first published, and five acres of Land, to every other Adventuror for every other person which he hath or Shall transport thither Since that time of the first plantation untill the thirtieth day of August which Shall be in the year of our Lord 1638, And for Soe doing this Shall be your warrant Given under my hand and Seal at Warder-castle in the Realm of England, the 29th August 1636 Liber F.

Signed Cecilius Baltemore

To my Dear brother M^r Leonard Calvert Esq
my Lieuten^t Gen^lal of the Province of Marland

[Commission to Governor Leonard Calvert and Council.]

Cæcilius by the Grant and Donation of our Sovereign Lord Charles, by the Grace of God of England Scotland France and Ireland King Defender of the ffaith etc. Absolute Lord and Proprietor of the Province and Country of Maryland in the parts of America. Lord Baron of Baltimore etc To all and Singular persons to whome this present writeing Shall come Greeting, Know ye that Wee takeing into our Serious Consideraçon the necessity of makeing a Governor appointing a Council and other Officers and Establishing of Laws proper and convenient for preservation of the peace and Support of the Common Weale of our Province of Maryland, and likewise calling to mind the faithfull and Laudable Service done by our Dear Brother Leonard Calvert Esq. as well in the Adventure of his person in the first discent and Settling our Colony there as in the Ordering and Advanceing the Same by his personal residence within the Same our Said Province, wherein he hath manifested to the Satisfaction of ourself and of our Colony there, Such wisdom, ffidelity, Industry, and other virtues, as Render him Capable and worthy of Trust hereby by us intended to be reposed in him, And for divers others good causes and consideraçons us thereunto especially moveing, Have nominated constituted Ordained Authorised and Established, And by these presents Doe nominate constitute Ordain Authorise and Establish the Said Leonard Calvert in the Absence of us and our heirs our Lieutenant Generall, Admirall, Chief Captain and Commander As well by Sea as Land of our Said Province of Maryland and the Islands to the Same belonging, And Doe by these presents give unto him the Chief Commandment and absolute Authority above and in all matters of warfare by Sea and Land, to execute and Administer the Same to the Resistance p. 8

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Liber F. of the Enemy, or, Suppression of Mutinies and Insolencies, as our s^d Lieutenant Shall think most Commodious for the preservation of our Said Province, And to doe all Such things as doe belong or appertain, to the Office of a Generall, Admirall, Captain or Commander To have hold Execute and Administer the Same with Such power and Authority as any other, Lieutenant, Governor General Admiral, Captain and Commander, of any other Province may might or ought, by the Law of Arms to doe, untill we Shall Signifie our pleasure to the Contrary And therefore We doe hereby further Ordain and Command All Captains and Soldiers, as well by Sea as by Land whome it may concern, and all Such as are and Shall of our Councill, within our Said Province, All our Officers Receivers, Bailiffs, Marshalls, Magistrates, Gentlemen, and all other Inhabitants of our Said Province, of what quality or Condition Soever, That they and every of them doe acknowledge the Said Leonard Calvert in the quality of Lieutenant General, Admiral, Chief Captain and Commander, of all our fforesaid Province and the Islands and members of the Same, And doe honour respect and obey him as they ought to doe, upon pain of Such punishment to be inflicted upon them and every of them, as Such a high contempt shall deserve And to the end p. 10 that no man there Shall pretend Ignorance, We doe Command this our Ordinance to be proclaimed and published within our Said Province, at the places accustomed to proclaim and publish our Edicts or Ordinances, Commanding him our Said Lieutenant to proceed with rigour against all Contemnners and Neglecters of the Same, according to the Order of punishment before mençoned without favour or

And We doe further by these p'sents make constitute and Ordain and Establish the Said Leonard Calvert to be our Chancellor, Chief Justice, and Chief Magistrate within our Said Province, untill We or our heirs Shall Signifie the Contrary under our hand and Seal, and from time to time to appoint and Constitute Officers and Ministers, for the preservation of the peace, Administraçon and Execuçon of Justice, and for doeing and Executing of all other things whatsoever, w^{ch} belong to the Establishing and Govern of a good and happy Coimonwealth within our Said Province, And We doe further give and Grant to him our Said Lieutenant, Chancellor, Chief Justice, and Chief Magistrate, full and absolute power and Authority to Assemble the ffreemen of our Said Province or their Deputies, at S^t Maries within our Said Province upon the five and twentieth day of January next ensueing the date hereof, and then and there to Signifie to them that We doe dissassent unto all the Laws by them heretofore or at any time made within our Said Province, as We doe hereby declare

them to be voyd, And further to Shew unto them the draught, or Coppy of all Such Laws and Ordinances for the good Government of our Said Province, as We Shall before that time transmitt to him our Said Lieutenant under our hand and Seal, with our Assent for Enacting of the Same And Likewise if the Said ffreemen or their Deputies Soe Assembled Shall approve of and consent unto all the Said Draughts or Coppies of the Said Laws and Ordinances, in manner as We Send the Same over, to publish the Same as Laws under the Great Seal of our Province, That the people and Inhabitants of our Said Province may take the better notice thereof, And We Doe further by these presents Give and Grant unto him our Said Lieutenant like absolute power and Authority after the Said Assembly Soe called as aforesaid, Shall be by him dissolved, att all or any other time or times, when and as often as he Shall think fitt, to call and Summon one or more General Assembly or Assemblys of the ffreemen within our Said Province, And to propound and prepare other wholesome Laws and Ordinances, for the Government and well ordering of the Said Province, and People within the Same, To be by us assented to and Confirmed if upon view and mature Consideraçon had of the Same We Shall in our Judgment approve thereof, And We Doe by these presents Give and Grant full power and Authority unto our Said Lieutenant to adjourn and dissolve the Said Assembly Soe authorised to be called on the five and twentieth day of January next Ensueing the date hereof as afores^d And all other Assemblys by him hereafter to be called at his pleasure And fforasmuch as the calling of a Generall Assembly of the Said ffreemen and the Consulting about, and Enacting of Laws, will require long time and much Consultation, and many times Sudden, and other necessary Occasions may happen or fall out which require a Speedy remedy, We Doe therefore Give and Grant unto our Said Lieutenant full power and Authority to make Constitute ordain and publish in our name Such reasonable and profitable Ordinances Edicts and Proclamations wth reasonable pains and penalties therein to be expressed To be duly inflicted on all Offenders against the Same as he our Said Lieutenant in his discretion Shall think fitt, Provided that Such penalties doe not extend, to the takeing away the Right or Interest of any person or persons of or in their life Members ffreeholds goods or, Chattells, All which Ordinances Edicts and proclamations Shall Stand in fforce only and untill We or our heirs Shall Signifie the contrary to him our Said Lieutenant General and the people thereof, or that he our Said Lieutenant Shall in his discretion think fit to Repeale the Same And further We Doe hereby Give and Grant full power and Authority unto

Liber F.

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Liber F. him our Said Lieutenant, to appoint fit places for Publick Ports for Ladeing, Shipping, Unladeing, and discharging all goods and Merchandises, to be Imported or Exported into or out of our Said Province, And to prohibit the Shipping or discharging of any goods or Merchandises whatsoever in all other places or Ports within our Said Province, and appoint Officers and Ministers in the Same places, and ports, And also to erect and Establish Convenient places, for the holding and keeping of ffairs and Marketts, and to establish Marketts and ffairs there to be held upon certain days for that purpose to be by him appointed, And We doe further by these presents Give full power and Authority, to our Said Lieutenant if he See cause to pardon and remitt in part or in whole All pains fforfeitures and penalties which any person or persons within our Said Province Shall incurr, for any misdemeanor or offence against any of our Laws Ordinances or Orders whatsoever made or to be made for the good Government of our Said Province, And to Grant Pardons to all and every Such Delinquents in our name under our Great Seal of our Said Province Soe that Such pardon or pardons extend not to the pardoning of high Treason, And further We Doe by these presents

P. 13 Comitt the Custody and keeping of our Great Seal of our Said Province unto him our Said Lieuten^t And Doe hereby Give and Grant unto him our Said Lieutenant Absolute power and Lawfull Authority for us and in our name to pass and Grant under the Same our Great Seal, All writts and processes, All Comissions for the Execution of Justice and for dividing and bounding of Lands, All pardons Lycences, and All publick Acts and Deeds whatsoever w^{ch} Shall at any time pass within our Said Province, And We Doe further hereby Give full power and Authority unto him our Said Lieutenant for us and in our name to pass any Grant under our Said Great Seal to Such person or persons Such quantity of Land within our Said Province for Such Estate and Interest, and with Such priviledges and Imunities as We have or from time to time Shall give him our Said Lieutenant warrant for under our hand and Seal All which Grants Soe to be made passed and granted after the Same grants and the Said Warrants under our hand and Seal for the passing thereof, Shall be enrolled by our Secretary of our Said Province, for the time being and not before, We Will and Doe hereby declare Shall be effectual in Law against us, and Shall bind us and our heirs as firmly as if We our Selves had been present and had Affixed our, our Great Seal to Such Grant or Grants in proper person, And for the better assurance of him our Lieutenant in the Execution of the premisses, and of the charge by us Comitted to him, We have appointed and

Ordaigned, And by these presents Doe appoint and Ordain our Well beloved Jerome Hawley Esq, Thomas Cornwallis and John Lewger Gent, to be of our Councell of and within our Said Province with whome our Said Lieutenant Shall from time to time advise as he Shall See cause upon all occasions concerning the good of our Said Province and of the the people there, And We doe hereby give and Grant full power and Lawfull Authority unto him our Said Lieutenant to enquire hear determine and finally to Judge of and upon all Causes criminall whatsover of what nature kind quality, degree or Condicion Soever the Same Shall be w^{ch} may or arise within our Said Province as fully and absolutely as if We our Selves were personally present to give Sentence or Judgment in or upon the Same (excepting only where the life or member of any person Shall or may be inquired of or determine) And to Award Execution upon every Such Sentence or Judgment And also to and determine all Civill Causes actions Suits and demands both in Law and Equity of or concerning any goods Chattells contracts debts demands or other personall or mixt Action or Actions Suit or Suits whatsoever in the most Summary and equall way that he may according, according to the Orders Laws and Statutes of that our Said Province, already made and established or hereafter to be made or Established, And in default of Such Laws established or to be established within our Said Province, then according to the Laws and Statutes of the Realm of England, as near as he may or can Judge and determine thereof And Where the life member or ffreehold of any person or persons Shall happen to come into question within our Said Province, We Doe hereby Give and Grant to him our Said Lieuten^t or to Such persons as We Shall from time to time by our Letters or any other warrant under our hand and Seal nominate and appoint to be of our Councell within the Said Province or to any three of them whereof our Said Lieutenant always to be one, full power and authority to inquire and determine thereof according, to the Laws of our Said Province, Established or To be Established, And finally to give Sentence and Judgment thereupon and to award Execution accordingly, And We doe hereby for the better Execution of the premisses, and preservation of the Records of all proceedings in the premisses, appoint constitute and Ordain the Said John Lewger as well to be our Secretary and Keeper of the Acts and proceedings of our Lieuten^t and Councell for the time being, And for the doeing and recording of all Grants by us or our heirs to be made of any Lands or Offices within our Said Province, And of all other matters and acts which by any Instructions Laws or Ordinances made or given or to be made or given

Liber F.

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Liber F. for or concerning our Said Province Shall or ought by the appointment of us and our heirs or by the appointment of our Lieutenant or other chief Governor for the time being or otherwise to be Recorded, As also our Collector and Receiver of all our Rents Revenues profits and Customes from time to time to be due or payable within the Said Province, And Lastly Whereas our S^d Lieutenant may hereafter by absence out of our Said Province not attend the Said charge and trust hereby in him by us reposed, We Doe hereby Give and Grant unto him our Said Lieutenant full power and authority from time to time in Such case of absence to nominate Elect and appoint Such an able person Inhabiting and residing within our Said Province, as he in his discretion Shall make choice of and think fit, to be our Lieutenant Gen^l Admiral Chief Captain and Commander as well by Sea as by Land of our Said Province and of the Islands thereunto belonging And in Case our Said Lieutenant Should happen to dye or be absent out of our Said Province and Shall fail to make choice of nominate and appoint Some person to be our Lieutenant Gen^l Admiral Chief Captain and Commander of our Said

p. 16 Province as well by Sea as by Land We Doe hereby give and Grant to our Councillors there for the time being or the Greater part of them full power and Authority from time to time in every Such Case to nominate elect and appoint Such an able person Inhabiting within our Said Province as they or the greater part of them Shall make choice off and think fitt to be our Lieutenant General, Admiral Chief Captain and Commander as well by Sea as by Land of our Said Province and of the Islands to the same belonging, which person to be chosen and appointed in either of the Cases aforesaid We Doe hereby declare Shall be our Lieutenant General, Admiral Chief Captain and Commander during the absence of our Said Brother our present Lieutenant, or untill We or our heirs, Shall Constitute and appoint another Lieutenant or Governor of our Said Province or otherwise determine the Same, To which Lieutenant General Admiral Chief Captain and Commander, to be Elected nominated and appointed as aforesaid, We doe hereby Give and Grant the like power and Authority in all Causes and things, As Wee have by these presence given and Granted unto our Said Brother Willing and Commanding all our Councel Captains, Soldiers Officers Ministers and People of our Said Province, and all others whome it may concern to be Obedient unto him in all things matters and causes, As We have herein and by these presence Commanded them to be Obedient unto our Said Brother our present Lieutenant General, Admiral Chief Captain and Commander upon pain of Such punishment to be inflicted upon them and every

of them as Such a high Contempt Shall deserve. Given under our hand and Seal at London in the Realm of England the fifteenth day of April in the year of our Lord God one thousand Six hundred thirty and Seven. Liber F.

locus + Magni
Sigilli

Signed J. Lewger

Endorsed

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These are to Authorize You to put our Great Seal for the Province of Maryland to this our Comission for the Government there. 15th of April 1637.

To our Secretary for the
Province of Maryland.

Signed: C. Baltemore

The King to the Comm^{rs} for Foreign Plantations
May 1637.

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Whereas our deere Father King James of blessed memory did by his Letters Pattents, bearing date the 7th day of Aprill in the 21 yeare of his raigne, grant unto the late Lord Baltimore, by the name of Sir George Calvert knight, (then Principall Secretary of State) and to his heires a certain Region in Newfoundland, called in the said Letters Pattents, by the name of the Province of Avalon, with divers powers and privileges requisite and necessary for the better government of such as should transport themselves to plant and inhabit the said Province: and for the better encouragement of the said Lord Baltimore, who thereupon did at his owne charge first transport an ample Colony thither, and afterwards adventured thither his person, and family together with the greatest part of his fortune. And whereas wee our selfe by our Letters Pattents bearing date the 20th day of June in the 8th yeare of our raigne, have granted unto our right trusty and welbeloved Cecilius now Lord Baltemore (sonne and heire of the said late Lord Baltemore) and his heires, a certain region joyning upon Virginia (called in our said Letters Pattents by the name of the Province of Maryland) together with such like power and privileges. Whereupon the said now Lord Baltemore hath also at his great charge transported an ample Colony to plant and inhabit the said Province. And whereas both the aforesaid Letters Pattents were granted upon mature deliberation first had of the severall clauses priviledges therein granted, and after many references thereupon made to severall of the Lords of the Councell both of our Father and of our selfe for the due consideration thereof. Now forasmuch as, We are informed by the said now Lord Baltemore, that some Grants concerning forreine Plantations may passe our seales, which may be preju-

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diciall to him, unles there be sufficient provisos and clauses inserted therein (as occasion shall require for the preservation of his right in the aforesaid Letters Pattents granted to his Father and himselfe; and hath thereupon humbly besought us that We would be graciously pleased by some speciall order to prevent that no such prejudice be done unto him. Wee therefore taking into our Royall consideration, as well the good and faithfull services done by the said late Lord Baltemore to our deer Father, as the great expense, and adventure aforesaid of him, and his sonne the now Lord Baltemore, for the enlargement of our Empire and dominions in those parts of the World, and conceiving our selves bound in justice and Honor to secure and protect the said now Lord Baltemore in the quiet and free enjoying of all his rights and priviledges granted in the aforesaid Letters Pattents; doe hereby will and require you and every of you that you take speciall care that you doe not permitt nor give way to any Pattents or Commissions, Letters or other Warrants whatsoever, for Plantations or Discoverys in any parts in or neare unto the said Provinces of Avalon and Maryland in the parts of America, to be prepared for or to pass our Signature or any of our Seales, which may any way infringe any of the rights or priviledges aforesaid of the said now Lord Baltemore and his heires; But that you make stopp and stay thereof, if any such shall come unto you hands, till you give notice thereof to the said now Lord Baltemore, which upon such occasions, wee require and command you and every of you to doe, and that by the advice of his Councell learned in the Law such clause be inserted in such Pattents, Commissions, Letters or other Warrants as aforesaid, before they pass our Signature or any of our Seales, as may be necessary and convenient for the preservation of his the said now Lord Baltemore's right, Interest, powers and priviledges granted to his Father and himself in the Letters Pattents aforesaid. For which this or a true Authentickall Coppy hereof, testified under the hand of one of our Principall secretaries of State; shalbe to you and every of you a sufficient Warrant. And furthermore for the better securing and encouragement of the said now Lord Baltemore and all other Adventurers under him, to proceed with cheerfullness and alacrity in the planting of the aforesaid Provinces, We doe hereby declare and engage our Royall words and promise that We will not at any time hereafter give directions or permitt any Quo warranto or other writt or commencement of suite in name, or any other proceeding in any of our Courts of Judicature or elsewhere be made, or sued for the infringing, avoyding or overthrowing of either of the aforesaid Letters Pattents, for and in respect of any clause, or matter therein contayned. And We doe hereby

will and command that if any Order hath or shall without our knowledge hereafter be given, and any Quo warranto or other Writt or commencement of suite, hath or shall be made and sued thereupon or otherwise, for the infringing, avoyding or overthrowing of either of the aforesaid Letters Pattents, for or in respect of any clause or matter therein containd; the same forthwith to cease and to be made voyd, so as the said now Lord Baltimore and his heires, may be no way prejudiced thereby; And for so doing this or a true and Authentickall Coppy hereof, testified under the hand of one of our Principall Secretaries of State, shalbe to you and every of you a sufficient Warrant in that behalfe. Given under our Signett at our Court at White hall the day of May in the 13th year of our Raigne.

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To our right trusty and right welbeloved our Commissioners for forreigne Plantations, our keeper of our great Seale of England, and our Keep^r of our Privy Seale, for the time being: To our right trusty and welbeloved our Principall Secretaries of State, our Cheife Justices, and all our Judges of any of our Courts of Judicature whatsoever for the time being: To our trusty and welbeloved our Attorney and Sollicitor Generall, and the rest of our learned Councell in the Law for the time being, and to all other our Officers and Ministers whom it may concerne.

Dni. 1637

Shipped for the Isle of Kent upon the S^t Thomas by Thomas Cornwallis Esq; three pieces of blew truck cloth, & 2 dozen of trucking Axes which the said Thomas Cornwallis doth acknowledge himself bound to the Lord Proprietor in Two hundred pound — not to trade Sell or put off the said Cloth or axes or any part or parcell of them to or with any Indian or Salvage whatsoever further then he shall have Licence therefore from the Lieutenant General of this Province.

Liber Z.
L. O. R.
No. 2.
p. 1

Tho: Cornwallis

N. B.—The above Entry is Crossed
out in the Orriginal Record Book

locus + Sigilli Know all persons whom it concerneth, that I have & hereby do give free Liberty and Licence to Thomas Cornwallis Esqr; and one of the Council of this Province to trade with any the Indians of this Province for corne or Roanoke or peake, and the same to utter and Sell to any of the Inhabitants of this Province, and no further or otherwise, this Licence to endure untill I shall signifie the Contrary. In Wittness whereof I have hereunto Set my hand and Seal this 30th of December 1637.

Leonard Calvert

Liber Z. Thomas Cornwallis Esq, is discharged hereby from all account
L. O. R. to the Lord Proprietor for one hundred Barrells of Corne
No. 2. which he is admitted to trade for with the Indians for the
Expence of the Colony.

John Lewger

p. 2

[1637]

December

30^{yds} Cloth 25^c p y^d
tenth is — 25^c

2 dozen axes at

c p dozen tenth is

2^c

ll — : — 237^t

turned

———— y^{ds} Cloth

otter Skinns

axes

y^{ds} roanoke

Shipped vpon the Saint Thomas by Thomas Cornwallis Esq in the n[ame] and behalfe of Jerome Hawly of this Province Esq, three peices of blew [truck] cloth, containing 30 y^{ds} a peice; and two dozen of trucking axes. A[nd the] said Thomas Cornwallis doth acknowledge himselfe to stand indebted to [the] Lord Proprietor in two hundred thirtie and seven pounds weight of good m[erchan-]table tobacco, due for the tenth of the said cloth and axes; to be paid to John Lewger his Lo^{ps} Collector upon the tenth of November next; provided that in case the said cloth and axes or any part thereof, or the value of them in peake or roanoke raised from the Indians by the said cloth or axes, shall be returned againe without being vented, that then so much of the said two hundred thirtie and seven pound w^t of tobacco is to [be] discompted to the said Thomas Cornwallis as the commoditie so return[ed] without vent, did amount vnto in the computation of the said tenths.

And further the said Thomas Cornwallis doth covenant and oblige himselfe [to] satisfie and deliver to his L^{opps} said Collector the full tenth part in [kind] of all such furies, or other commodities whatsoever w^{ch} shalbe bought, trad[ed] for or exchanged of or from any Indians whatsoever by or with the said [Cloth] and axes, or any part thereof, within ten daies after the returne of [the] foresaid vessell into this port; except such corne or other commodities for w^{ch} the said Thomas Cornwallis shall have a discharge from the said Collector
Witnesse the Lieuten^t generall

Thos. Cornwaleys.

Leonard Caluert.

30th march 1637

This day came The said Thomas Cornwaleys, and entred fiftie five yards of cloth, and and nineteene axes, and one and fourty yards of roanoake, returned againe (of the former truck mentioned in the recognisance) without venting: and the residue of the said truck employed in fourty barrells of corne

w^{ch} he brought into the colony for the expence thereof; except onely that he entred eleven otter skinnnes bought with that truck of the Indians: and so is discharged of the foresaid recognisance; paying one otter skinne to the Lord Propriet^r

Liber 2.
L. O. R.
No. 2.

John Lewger Collector.

[Commission to George Evelin as Commander of the Isle of Kent.] p. 5

Leonard Calvert Govern^r of Maryland, to my good frend Captaine George Evelin of the Ile commonly called Kent within th^s Province, greeting. Whereas I am willing to provide for the good govern^t of the said Ile of Kent being of right a member of this Province; therefore reposing especiall confidence in the trust wisdomes & well approved experience of you the said George Evelin, I doe by these p^{nts} authorise constitute and appoint you to be Commander of the said Iland and the inhabitants thereof, giving and granting hereby vnto you full power & authority to elect and chuse any six or more able and sufficient men inhabitants of the said Iland as you in your discretion shall thinke fitt with whom you shall advise and consult in all matters of importance; and to call a Court or Courts as often as there shalbe cause, and in the said Courts to award all manner of processe, hold pleas, and to heare & finally to determine all causes & actions whatsoever civill hapning and arising betweene any the inhabitants of the said Iland not exceeding in damages or demands the value of ten pounds sterling; as also to heare & finally determine all matters & offences whatsoever criminall hapning & committed within the said Iland w^{ch} may be heard & determined by any Justices of peace in England in their Court of Sessions not extending to life or member. And doe further authorise you to doe vse and exequite all and all manner of iurisdiction & authority whatsoever for the conservation of the peace within the said Iland as any Justice of peace in England may or ought to doe by vertue of h^s Commission for the peace; and further to elect and appoint all necessary officers for the exequution of iustice & conservation of the peace there with allowance of such fees as are vsually belonging to the same or the like offic^{es} in virginia; and to doe all other things and acts w^{ch} shalbe necessary for the exequution of the power & iurisdiction hereby committed vnto you. Given at S^t maries this 30th day of December; anno dñi 1637.

Commission of
high Constable
to Robert
Vaughan

Cecilius Lord Propriet^r to o^r trusty Robert Vaughan of S^t Georges hundred Sergeant of the trained band, greeting. Whereas the west-side of S^t Georges

p. 7

Liber Z.
L. O. R.
No. 2.

river is now planted by severall inhabitants, and is thought fitt to be erected into a hundred by the name of S^t Georges hundred: We willing to provide for the better conservation of the peace & punishm^t of offenders within the said hundred, and withall for the ease of the inhabitants thereof; and reposing especial trust in your diligence & provident circumspection, have constituted and appointed, and by th^s o^r Commission doe constitute appoint and authorise you to be highe Constable of the said hundred of S^t George, giving vnto you full power & nevertheless inioining & straitly charging you to inquire of and present vnto vs or our Lieutenant grāll for the time being, all crimes, misdemeanors & offences whatsoever committed ags^t the peace within the said hundred; and to arrest or cause to be arrested the person of any such offender or offenders, and him or them to keepe in safe custodie, vntill they shall putt in sufficient security to appeare at the next Court after such attachm^t w^{ch} shalbe held at S^t maries before vs or our Lieutenant grāll for the time being; and to that effect to take recognisance to our vse as well from the partie offending and his meinpernors, as from all other psons that can give evidence touching the said offence; and if the crime shalbe such as is not baileable by the law of England or of this Province, immediately to bring or cause to be brought the person offending, and the persons that can give evidence therein before vs or our Lieutenant grāll for the time being, there to receive such triall and iudgem^t as the law shall award. And we doe further authorise you from time to time at all times as you shall see cause, to make diligent search & inquiry after all psons that shall sell or without license deliver any armes or ammunition whatsoever to any Indian or Salvage; and if you shall know or vehemently suspect any person or persons offending herein contrary to o^r Proclamation published in that behalfe, to apprehend the said person or psons, and him or them to bring or cause to be brought before vs or our Lieutenant grāll for the time being, there to receive such punishm^t as the fact shall deserve And further to doe and exequite all and every power & powers act and acts w^{ch} to the office of a highe Constable in England doe or may belong. Given at S^t maries this fifth day of January anno dñi 1637. witnesse Leonard Calvert Esq; and o^r Lieutenant grāll of the Province of maryland

P. 13

[Commission to John Lewger.]

Cecilius Lord Propriet^r to our trusty Councillor John Lewger Secretary of our Province of maryland, greeting. ffor divers good considerations vs herevnto moving, and reposing especial trust and confidence in your faithfull and provident circumspection, we have assigned and appointed and doe hereby assigne and authorise you to be Conservator of the Peace

within the County of St Maries giving you hereby full and absolute power and authority to doe exercise and exequite all the same and the like act and acts thing and things power and powers as may be or vsually are exercised and exequuted by any Justice of Peace in England by vertue of his Commission for the peace; and further we doe hereby authorise you to take and record recognisances in all causes betweene partie and partie and the same recognisance to be of as full force to all intents & purposes as if it had beene taken and recorded before any Judge of record in England. And further we doe hereby authorise appoint and assigne you to be o^r Com^r in causes testamentary, to prove the last wills and testaments of persons deceased, and to grant admrāon of the estates of persons dying intestate within our said Province, and to take inventaries and accompts and the same to record, and to give discharges therevpon; and to minister an oath to any person or persons witsesse or witnesses exequutors or admrātors as often as there shalbe cause: and finally to doe all other things w^{ch} shalbe necessary for the exequution of the power & iurisdiction in any the premises committed vnto you. Given at St Maries this foure and twentieth day of January 1637 witsesse Leonard Calvert &c.

Liber Z.
L. O. R.
No. 2.

Commission of Sheriff to James Baldridge

p. 22

Cecilius Lord Proprietor to our trusty James Baldridge, greeting. wee reposing especiall trust & confidence in your ability and experience, have constituted and authorised, and doe hereby constitute, authorise, and appoint you to be Sheriff and coroner of the County of St maries vntill we shall signifie our pleasure to the contrary, giving you hereby full power and neverthesse straitly iniointing and commanding you to doe all and every thing and things w^{ch} vnto the office of a sheriff and coroner of any County in England doe or may belong. Given at St maries this 29th January 1637 witsesse Leonard Calvert Leutenant gräll

This day came before me James Baldridge, and acknowledged himselfe to owe vnto the Lord Proprietor one thousand pound weight of good merchantable tobacco to be paid vnto the said Lord Proprieto^r his heires or assignes. &c. p. 23

The condition of this Recognisance is such that if the within bounden James Baldridge shall well and duely exequite the office of sheriff to him committed, & shall exequite all writts and warrants to him directed so far forth as he may, then this recognisance to be void; or els to stand in full force and vertue

James Baldridge

Recogn^t coram me
John Lewger Secretary.

Liber Z.
L. O. R.
No. 2.

Cecilius Lord Propriet^r &c to our trusty william Brainthwaite greeting, we command you that you seise and attach to our vse all vessells trading with the Indians in any part of our Province, or that have passed throughe any part of o^r province to trade with any Indians out of our province; and all trucking commodities whatsoever in such vessells or about any one pson; as also all beavers & other commodities traded for and bought of any Indians as aforesaid without speciall licence of vs or o^r Lieute^{nt} grāll for the time being, and the vessells or commodities so seised to deliver to o^r Collector for our vse

Given at S^t maries this 8th february &c

+ locus sigilli.

p. 26

Commission to Rob^t Philpott &c.

Cecilius Lord Propriet^r &c to our trusty Rob^t Philpott, william Coxe, and Thomas Allen of the Ile of Kent gent. greeting whereas we are willing to provide for the govern^t of the said Iland, therefore reposing especiall trust in your iudgement and discretion, we doe hereby authorise, constitute, and appoint you three and every one of you by himselfe, to be Conservators of the peace within the said Iland, to vse and exercise all the same powers and authorities whatsoever within the said Iland, as a Justice of peace in England may or ought to vse by vertue of his Commission for the peace: And further we doe authorise you three or any two of you (whereof the said Rob^t Philpott to be alwaies one) to call and hold a Court-leete as often as there shalbe cause; and in the said Court to award processe, hold pleas, and to heare and determine all causes and actions whatsoever civill hapning betweene any the inhabitants of that Iland, not exceeding in damages or demaunds twelve hundred pound weight of tobacco; and in causes civill exceeding twelve hundred weight of tobacco, we doe authorise you the said Robert Philpott to grant any warrant or warrants for the arresting of any person or psons within the Iland at the suite of any partie, or to attach any goods, and such person or goods too keepe in safe custody of the Sheriff vntill the def^t shall putt in sufficient security to make answere to the p^lf at o^r Court of S^t maries within a certaine time to be by you limited, and to abide the iudgem^t of our said Court. And we doe further authorise you three or any two of you (whereof the said Rob^t Philpott to be alwaies one) to enquire of, heare, determine, and correct all misdemeanours & offences whatsoever criminall committed within the same Iland, w^{ch} may be determined and corrected by any Justices of peace in England & not extending to the losse of life or member. And finally to doe all other things w^{ch} shalbe necessary for the exequution of

the power & iurisdiction hereby committed vnto you. Given at S^t maries this 9th of febr: 1637 wnesse Leonard Calvert
 Commission of Sheriff and Coroner of the same Iland to John Langford, vt supra.

Liber Z.
L. O. R.
No. 2.

Commission to Thomas Games mariner.

p. 29

Cecilius Lord Propriet^r of the Provinces of maryland and Avalon, Lord Baron of Baltemore &c to all psns to whom these pñts shall come, greeting. Know you that we for divers good considerāns vs therevnto moving, have given & granted and by these pñts doe give & grant vnto the bearer hereof Thomas Games mariner, full and free power liberty licence and authority to passe & transport himselfe & his vessell out of our Province of maryland and throughe any parts hereof & to trade & commerce for corne beaver or any other commodities with the dutchmen in Hudsons river or with any Indians or other people whatsoever being or inhabiting to the northward without the Capes commonly called Cape Henry and Cape Charles, willing and requiring all such as shall accompany him in the said voyage to be obedient to him in all his lawfull commands; and also willing & requiring the said Tho. Games not to sell or barter or otherwise give or lend any armes powder or ammunition vnto any Indian or forreigner whatsoever vpon paine of such severe punishm^t as such a crime shall deserve And we will that this our Commission continue in force for the space of one whole yeare ensuing the date hereof. Given at our ffort of S^t maries this 12th ffebr: in the yeare of o^r Lord &c 1637

wnesse Leonard Calv^t &c.

10: ffebr:

p. 30

83 Shipped vpon the Saint margett by Rob^t Clerke on
 27 the behalfe of his master, Thomas Copley Esq; one
 5 hundred and fiteene yards of truck-cloth; one dozen 1/2
 — of axes; 14 small hatchetts; 4 dozen of knives; & 1
 115 dozen of howes; and are to be traded with the Indians
 of this Province; & the said Rob^t Clerke doth acknow-
 230 ledge himselfe in the behalfe of his said master to
 57 stand indebted vnto the Lord Propriet^r in three hun-
 — dred and fiteene pound w^t of tobacco due for the
 287 tenths of the said truck; if it shalbe exchanged for
 7 beaver, or corne without licence.

Rob: Clarke

7
 8
 6 a discharge given to the said Rob^t Clerke for 100
 — b^{rells} of corne.

315

Liber Z.
L. O. R.
No. 2.
p. 32

[Expedition to the Isle of Kent.]

By the Governo^r and Counsell this 12th of ffebr. 1637

The Gov^rno^r and Counsell taking into consideration the many pyracies insolencies mutinies & contempts of the govern^t of this Province formerly committed by divers of the inhabitants of the Ile of Kent, and that the warrants sent lately into the said Iland vnder the great seale of the province for apprehension of some malefactors and for to compell others to answere their creditors in their lawfull suits of debt or accompt, were disobeyed and contemned, and the prisoners rescued out of the officers hands by open force and armes; and being now newly informed that divers of them to meinteine & protect themselves in their said vnlawfull and rebellious acts, did practise and conspire with the Sasquisahanoughes and other Indians against the inhabitants of this colony: Have thought it fitt that the Govern^r should saile in psōn to the said Ile of Kent and take along with him a sufficient number of freemen well armed, and there by martiall law (if it shalbe necessary) reduce the inhabitants of the said Iland to their due obedience to the Lord Propriet^r, and by death (if need be) correct mutinous and seditious offenders who shall not (after proclamation made) submitt themselves to a due course of iustice. And for his better assistance herein it was thought fitt and so ordered that Captaine Thomas Cornwaleys Esq and one of the Counsell of this Province should goe along with the Governo^r, and be aiding and assisting to him to the vttermost of his power for the commaund of the forces according to such directions as he shall receive from the Governor, during this expedition

signed Leonard Calvert
Jerome Hawley
John Lewger

p. 35

[Appointment of Deputy Governor.]

To all people to whom these pnts shall come I Leonard Calvert Esq Lieutenant grāl of the Province of maryland, send healthe in o^r Lord God Everlasting whereas this pnt generall Assembly beganne on the 25th day of January last past, and by severall adiornments continued vntill the eighth day of this instant moneth of ffebruary, was then adiorned vntill the 26th of this instant moneth; now designing at this pnt to make an expedition in person vnto the Ile of Kent, and doubting lest some accident might hinder my returne to S^t maries afore the said day, whereby the Assembly would of

it selfe be dissolved for want of power to assemble; Know ye therefore that in case of such my absence I have authorised and deputed, & doe hereby appoint authorise and depute m^r John Lewger Secretary in my name and place to hold and continue the said Assembly at the day appointed, and to give voice for me to all and onely such things as he shall thinke fitt, also to adorne or dissolve the said Assembly as he shall see cause, and to doe and performe all other things belonging to the said Assembly as amply to all intents and purposes as I my selfe might doe if I were personally present

Liber Z.
L. O. R.
No. 2.

Leonard Caluert

To the King's most Excellent Majesty

Liber F.
p. 1

The humble Petition of Captain William Clepborne on the behalfe of himself and Partners, —

Shewing

That the Petⁿ by vertue of a Comission under Your Majesties hand and Signett hereunto annexed, divers years past discovered, and did then plant upon an Island in the Great Bay of Cheasapeak in Virginia, by them named the Isle of Kent, which they bought of the Kings of that Country, and built houses transported Cattell, and Settled people thereon to their very great Costs and Charges which the Lord Baltemore takeing notice of, and the great hopes for: trade of beavers and other Comodities like to ensue by the Peticoñers discoveries hath Since obtained a Pattent from your Majesty Comprehending the said Island with the Limitts thereof, and Sought thereby to dispossess the Peticoñers thereof and debarr them of their discovery and hopefull trade for beavers Complaint being made thereof, your Majesty was graciously pleased to signifie your Royal pleasure by a Letter under your Majesty's hand and Signett Intimating therein that was contrary to Justice and the true intent of your Majesty's Grant to the said Lord, that Notwithstanding the said Patent the Peticoñers should have freedom of trade enjoy the same therein requiring the Governor and all others in Virginia to be aiding and assisting unto them, prohibiting the Lord Baltemore and all other pretenders vnder him to offer Them any Violence, or to disturb or molest them in their said and plantation, as by your Majesty's Said Letter annexed appeareth, Since which ti p. 2
be it your Majty's Said Royal pleasure hath been made known to S^r John Governor of Virginia (who Slighted the Same) as also to the Lord Baltemore Agents there, Yet they have in a most wilfull and contemptuous manner disobeyed the same, and, violently Set upon your Peticoñers Pinnaces and

Liber F. boats goods to trade, and Surprized them, and doe Still detain the same, By the of which Pinnaces and goods the Inhabitants within the said Isle were reduced So great famine and misery as they became utterly destitute of any corn Sustain themselves, which enforced them to send a small boat ow th why they obeyed not your Majesty's said Royal Letters and Command to the said Pinnaces and goods to enable them to trade for corne feed boat approaching near unto Some Vessell of the said Lord Baltemore Agents, they shott among the Petiçoners men and slew three of them and hu more, And not content with these great Injuries, the said Lord Baltemore and his Agents, have openly defamed and unjustly accused the Petiçon's of crimes to his exceeding great grief, which hath caused him purposely pair into this Kingdom and humbly prostrate himself and his Cause vn Majesty's feet to be relieved herein

And the Petiçoner having likewise discovered lantāo and ffactorie upon a small Island in the Mouth of a River in the bottom of the said Bay in the Sasquesahanoughs Country at the Inidians Desire and purchased the same of them by means whereof, by means whereof are in great hopes to draw thither the trade of Beavers and ffurrs which the ffrench now wholly enjoy in the Grand Lake of Canada which may prove very beneficiall to Your Majesty and the Commonwealth But by Letters now from thence your Petiçoner is advised that the Lord Baltemore's Agents are gone with 40 men to Supplant the Petiçoners said Plantaçons and to take possession thereof and seat themselves thereon

And the Petiçoner being desirous to propose a way Whereby, your Majesty may receive to the Crown for Plantaçons an Annual benefit and the Planters be certain to enjoy the Same with the fruits of their Labour, They doe Offer unto your Majesty 100^{lb} p anñu viz' 50^l for the said Isle of Kent, and fifty pound for the said Plantation in the Sasquesahonoughs Country, to have there 12 leagues of Land &c, from the Mouth of the said River on each side thereof, down the said Bay Southerly to the seaward, and Soe to the head of the said River, and to the Grand Lake of Canada to be held in ffee from the Crown of England and to be yearly paid into your Majesty's Exchequer, to be governed according to the Laws of England, with such priviledges as your Majesty shall please to grant, By w^{ch} means your Majesty may raise a great revenue annually and all Planters will be encouraged to proceed chearfully on their designs.

And the Petiçoners having now a Ship ready to depart with goods and people for the prosecuteing and manageing of their

said discoveries and trade w^{ch} without Speedy Supply and Liber F.
your Majesty's gracious favour and Incouragment is like to
come to ruin to their great Loss.

May it therefore please your Most Excellent Majesty, P. 4
to grant unto the Peticoners a Confirmation of your
Majesty's said Comission and Letter, under your Majes-
ty's broad seal for the quiet keeping, enjoying and gov-
erning of the said Island Plantations and people there-
on as aforesaid, to send now with the said ship, and to
referr the speedy Examination of the said wrongs and
injuries unto whome your Majesty shall please to think
fitt to certifie your Majesty thereof, And that the Peti-
coners may chearfully proceed in soe hopefull a design
without any lett or Interruption of the Lord Baltemores
Agents or any other whatsoever

And as in duty bound they shall pray. &c

Att the Court at New Markett the 26th ffebry 1637

His Majesty approveing the propositions made in this Peti-
tion for the advancement of those plantacons and the hopefull
trade of ffurrs, is graciously pleased to confirm What is con-
tained in his former Comission and Letter under the broad
seal, And to that end referreth to the Lord Archbp of Canter-
bury, Lord Keeper, Lord Privy Seal, and any other the Comis-
sioners for Plantations, who shall be near at hand and whome
they please to call, the Consideration of all the Contents of
this Petition And with M^r Attorney's advice to settle such a
Grant of the things herein desired as they shall think fitt to be
prepared by him for his Majestie's signature. Their Lordps
are also to Examine the wrongs Complained of and Certify
his Majesty what they think fitt to be done for redress thereof.

John Cooke

Ex^t T. Meautys.

We appoint the first Council day after Easter for the hear- P. 5
ing of this business at the Councell board, and doe hereby will
and require, that pnt Notice be given to the Lord Baltemore
or any else whome it may concern, together with a true Coppy
of this Petition and reference and that they by themselves or
their Councell fail not to attend accordingly

W: Cant Tho: Coventrie; W: Manchester

28. ffebr.

Shipped vpon the good vessell called the deborah by Cap^t Liber Z.
Henry ffileete 6 dozen and two of trucking axes, two dozen P. 39
and two of howes, nineteene yards of dutch cloth, two yards of
peake & a little more, sixteene paire of irish stockings; one
chest cent some beads, knives, combes, fish hooks iewes-harpes,

Liber Z. & looking glasses to the value of 16^l of beaver or thereabouts
 and are to be traded wth the Indians: And the
 475 said Henry fletee doth acknowledge himselfe to
 371 owe vnto the Lord Propriet^r one hundred fiftie and
 130 five pound of tobacco due for the tenth of the
 030 said truck if it shalbe exchanged for beaver, or
 64 corne without or beyond licence; and for such
 480 part thereof as shall not be vented for beaver or
 — corne further then is licensed, it is to be dis-
 1550 compted to the said Henry fletee according to
 the proportion it had in the rating of the tenths
 and further the said Henry fletee doth hereby
 oblige himselfe to pay to the Lord Propriet^r the
 full tenth part in kind of all the beaver or corne
 (further then he is licensed for) w^{ch} he shall buy
 of any Indians with or for the said truck or any
 part thereof. Provided that if it shall be adiudged
 at the Court that the said Henry fletee hath
 right to trade by vertue of any former licence without paying
 the tenth, that then this recognisance to be wholly void. And
 the said Henry fletee is to be accomptable to the common
 stock at his returne for what he hath bought or sold in the
 said trade. In wittenesse whereof he said Henry fletee hath
 herevnto sett his hand this 28th ffebr. 1637.

Henry fletee

Recogm coramme John Lewger Secretary

P. R. O.
 Colonial
 Papers. Vol.
 IX, No. 87.

To the Kings most Excellent Majestie

The humble Petition of Cecill Lord Baltimore.

? March. 1638.

Most humbly Sheweth:

That whereas your Subject being desirous to plant a Colony
 of English in some part of Virginia, did humbly desire to have
 a part of that Territory granted to him, which was referred to
 the consideration of some of the Lords of the Councell, who
 upon hearing of the old Virginia Company and your Petitioner
 at severall times thought fitt to advise your Majestie to grant
 to your petitioner that patent of Maryland, which now he
 enjoyeth; After the passing whereof, the said Company having
 procured a petition from Virginia against the said patent, sub-
 scribed by William Clayborne and many others, presented the
 same to your Maj^{tie} in May 1633, who was pleased to referr the
 consideration thereof to the Boord, and their Lordships did
 thereupon then heare both partys interested at large: And
 being desirous before they gave their judgement in the cause,

that there might be a mutuall accommodation of the Controversy, did appoint that both parties should meete and make propositions and answers to each other, and present them in writing to the Boord which was accordingly done; Whereupon their Lordships having heard and maturely considered the allegations on either part, and peticularly the pretences of Clayborne, did then thinke fitt by an Order of the 3. of July 1633, to leave your petitioner to the right of his patent, and the other party to the course of Law; whereupon your petitioner hath proceeded in sending to that country divers Colonyes of your Maj^{ties} Subjects at his greate charges, who have planted themselves in severall parts thereof, to the great hazard of their persons, and to the benefitt and service of your Maj^{ties} subjects in Virginia as is confessed by the Governor and Councell there. Yet notwithstanding the said William Clayborne being not contented with the said Order, because he well knew he had no legall right to his unjust pretences, not long after, did conspire with the Indians to destroy two of your petitioners Brothers, with divers Gentlemen, and others of your Maj^{ties} subjects, and by many other unlawfull wayes to overthrow his plantations, whereof he sayling, (but continuing his malice to your petitioner) whilst he is a prisoner at the Boord upon a complaint of the Governor of Virginia for his contemptuous and mutinous carriage towards the government there, and rebellious departure from thence; hath lately upon false surmises exhibited in his petition to your Maj^{ty}, obtayned a reference for granting of some part of your petitioners countrey to him, and for examining here some pretended wrongs mentioned in his petition.

May it therefore please your most Excellent Maj^{ty} seeing that your petitioner's patent and right, hath passed so many tryalls; and that in confidence thereof, and of your Majestie's Royall justice and favor, he hath expended a great part of his eState in planting that Countrey; that you wilbe pleased in confirmation of the said Order of the Boord, to leave your petitioner to his right and the said Clayborne to the Courte of Law; that thereby your Maj^{ty} may be free from the clamour of such pretenders, and your Subject encouraged to proceed in the plantation as he intends: And to that end that you wil be pleased to revoke the reference made for the said Clayborne, and to give order, that no grant shall pass to him, or to any other, of any part of your petitioners Countrey. And that you will likewise be pleased touching the examination of the injuries pretended to be done by your petitioners Agents in those parts, seeing they are alledged to be done in Virginia, that your Maj^{ty} wilbe pleased to direct your royall Letters to your Governor and Councell there, to examine the said complaints,

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and to certifie their opinions to your Maj^{tie}; that thereupon you may proceed according to Justice; for your Petitioner is confident that upon a true examination of the fact where it was committed; it will appeare that the said Clayborne and his Servants are guilty of Piracy and murder.

And your Petitioner as in duty bound &c.

[Seizure of Claiborne's property.]

Liber Z.
P. 52

March 27 Cecilius &c to the Sheriff of the Ile of Kent. greeting. we command you that you seise to our vse all the goods & chattells of william Cleyborne gent within yo^r lland; and that you keepe them in safe custody vntill you shall have further order from vs therein. Given at S^t maries &c.

[Commission to Robert Wintour.]

P. 55

Cecilius &c to o^r beloved Counsell^r Rob^t wintour Esq greeting whereas the west side of S^t Georges river is now planted by severall inhabitants and is thought fitt to be erected into a hundred by the name of S^t Georges hundred we willing to provide for the better conservation of the peace within the said hundred, and reposing especial trust and confidence in the wisdomed iudgem^t & well approved expience of you the said Rob^t wint^r have assigned constituted and authorised, and by this o^r Commission doe constitute assigne and authorise you to be Justice of o^r peace within the said hundred, giving vnto you full power and authority to grant warrants, take recognisances to o^r vse, keepe a record, administer an oath, and to doe vse exequite & exercise all other thing and things act and acts power and powers w^{ch} doe belong to the office of a Justice of peace in England by vertue of his Commission for the peace. And we doe further authorise you from time to time at all times as you shall see cause to make diligent and enquiry after all psons that shall sell or (without licence from vs or our Lieutenant gräll) lend or deliver any gunne powder or shott to any Indian, or that shall lodge or enterteine in their house by night any Indian without leave from vs or o^r Lieuten^t gräll, or from yo^r selfe first obtained, & the offender or offenders herein to bind over to answere the same at the next County Court to be held at S^t Maries. And we doe further authorise you to elect and appoint some able and sufficient freeman within yo^r hundred to be highe Constable of the same hundred, to w^{ch} pson so by you elected and nominated we doe hereby give full power and authority to doe and exequite all such acts and powers within the said hundred as vnto the highe Constable of a hundred in England doe or may belong. And

we doe require and command all the inhabitants of the said hundred that they doe acknowledge respect and obey you the said Robert wint^r and the said highe Constable by you to be appointed, respectively in yo^r severall offices and charges hereby committed vnto you and him, as they will answere the contrary thereof at their pill. Given at S^t maries this last day of march 1638 witnesse

Leonard Calvert &c.

[Appointment of John Lewger as Deputy Govern^r.]

Know all men by these p^{nts} that I Leonard Calvert Esq^r Lieuten^t grall of maryland being to be absent for a while out of this Province in virginea have constituted and appointed, and doe hereby assigne depute constitute and appoint my respected friend m^r John Lewger Secretary of this Province to be in my place & steed Lieutenant grall of this Province during such my absence, and no further or longer. In witnesse whereof I have herevnto sett my hand and seale this first day of Aprill 1638

Leonard Calvert

The L^d Comissioners for plantations their Order Vppon Cap^t William Cleyborne & his Partners Petⁿ agst the L^d Baltemore.

Att White-Hall the 4th of Aprill 1638.

Present

| | | |
|-----------------|--------------------------|----------------------------|
| | Lo: Archbp of Canterbury | |
| | Lo: Keeper | Lo: Cottington |
| | Lo: Tresurer | M ^r Treasurer |
| Locus + Sigilli | Lo Pryuy Seale | M ^r Comptroler. |
| | Ea: Marshall | M ^r Secr Cooke |
| | Ea: of Dorsett | M ^r Windebanck. |

Whereas a Petⁿ was presented to his Ma^{ty} by Cap^t William Clayborne, on the behalfe of himselfe & Partners. Showing th^t by uertue of a Commisⁿ under his Ma^{ty}s hand & Signett, they diuers yeares past, discouered & planted uppon an Iland, in the great Bay Chesapeack in Virginia, named by them the Ile of Kent; Wheruppon they pretended they had bestowed great charges, & th^t the L^d Baltemore, as they alleaged, taking notice of the great benefitt th^t was likely to arrise to them thereby obteyned a Pattent from his Ma^{ty} comprehending the s^d Iland, wthin the lymitts thereof. And th^t they had likewise settled another Plantⁿ uppon th^e mouth of a Ryu^r in the botome of the s^d Bay, in the Sasquesahanoughs Country. w^{ch} the s^d L^d Baltemores Agents there, as they alleage sought to dis-

Liber A. possesse them of, pretending likewise great iniuries & violence offered to them, in their trade, & possessions in those parts, by the s^d Agents, in killing some of the s^d Cap^t Claybornes men, & taking their Boates contrary to the s^d Commisⁿ & the expresse words of a letter from his Ma^{ty} under his hand & Signett. And therfore besought his Ma^{ty} to graunt unto the s^d Pet^{rs} a Confirmation under the great Seale, of his Ma^{ties} s^d Commisⁿ & letter for the quiett keeping enjoying & gouerning of the s^d Ilands, Plant^s & People, wth other additament of Lawes & Immunities in those parts. And likewise th^t his Ma^{ty} would referre the Examinaōn of the s^d wrongs & iniuries, to such as his Ma^{ty} should thinke fitt, as by the s^d Petⁿ more att large appeareth; fforasmuch as his Ma^{ty} was pleased att Newmarkett the 26th of ffebruary 1637 to referre the consideraōn of the Pet^{rs} request, unto the L^d Archbp of Canterbury, the L^d Keeper, the L^c Pryuy Seale, & any other the Commis^{rs} for Plant^{ns} who should be neare att hand, & whom they pleased to call, & wth all to aduise wth M^r Attorney gräll, for the preparing & setting the Graunt desyred for his Ma^{ties} Signiture, & to examine the wrongs complayned of, & certify his Ma^{ty} what they thought fitt to be done for redresse thereof. Whereuppon all parties attending their L^{ps} this day, wth their Councell learned, & being fully heard, the s^d Commisⁿ & Letter being likewise read. It appeared clearely to their L^{ps}, & was confessed by the s^d Clayborne himselfe then p^{rsent}. That the s^d Isle of Kent is w^{thin} the Bownds & Lymitts of the L^d Baltemores Pattent. And th^t

p. 195 the s^d Cap^t Claybornes Commisⁿ as it likewise appeared, was only a Lychense under the Signett of Scotland, to trade wth the Indians of America in such places, where the sole Trade had not bene formerly graunted by his Ma^{ty} to any other. W^{ch} Commisⁿ their L^{ps} declared did not extend, nor giue any warrant to the s^d Clayborne, or any other: nor had they any right or tytle thereby, to the s^d Island of Kent, or to plant, or trade there, or in any other parts or places, wth the Indians or Sauages w^{thin} the precincts of the L^d Baltemores Pattent. And their L^{pps} did likewise declare th^t the afores^d Letter, under his Ma^{ties} signiture, w^{ch} had reference to the s^d Commisⁿ under the Signett of Scotland was grownded uppon misinformation, by supposing th^t the s^d Commisⁿ warranted the Plantⁿ in the Isle of Kent, w^{ch} (as now appeares) it did not. Whereuppon as allso uppon consideraōn of a former order of this Board of the 3^d of July 1633. Wherein it appeared th^t the differences now in question being then controuerted, the L^d Baltemore was left to the right of his Pattent, & the Pet^{rs} to the course of Law. Their Lo^{ps} hauing resolved & declared as aboues^d. The Right & Tytle to the Ile of Kent & other places in question to be absolutely belonging to the L^d Baltemore, & th^t noe Plantⁿ or Trade wth

the Indians ought to be wthin the precincts of his Pattent Liber A.
wthout Lycence from him. Did therefore likewise thinke fitt &
declare, th^t noe Graunt from his Ma^y should passe to the s^d
Clayborne or any others of the s^d Ile of Kent, or any other
parts or places wthin the s^d Pattent Whereof his Ma^{ys} Attorney
& Soliciter gräll are hereby prayed to take notice. And con-
cerning the Violences & wrongs by the s^d Clayborne & the rest
complayned of in the s^d Petⁿ to his Ma^y their Lo^{ps} did now
also declare, th^t they fownd noe cause att all to releiue them,
butt doe leaue both sides to the ordinary course of Justice.

Concordat Cu^m Originali
Will^m Bretton Clk.

Ex^t T Meautys.

12th Aprill.

Liber Z.
P. 58

Entred by Cap^t Henry ffleete fourescore yards of cloth,
80 and 7 fathome of peake; to be traded wth the Indians.
3 and the said Henry ffleete doth acknowledge himselfe to
— owe vnto the Lord Propriet^r two hundred sixtie one
240 pound of tobacco for the tenth of the said truck or for as
21 much of it as shalbe traded for beaver; & likewise doth
— bind himselfe to pay the tenth part in kind of all the
261 beaver w^{ch} he shall trade for with any part of the said
truck

Henry ffleete

Recogn coramme
John Lewger Secretary.

17th Aprill

Memorand that this day m^r Sheriff hath appointed Robert
Percy to be his bailiff or vndersheriff vntill xtmass next, to exe-
cute for him all writt, & warrants vpon his command, for
exequution of iustice or otherwise and hath promised him a
salary therefore of 100^l of tobacco: and the said Robert Percy
hath accepted thereof, & doth covenant and vndertake to
performe the same & to save harmelesse m^r Sheriff for all
neglects or defaults w^{ch} may be committed on the part of the
said Robert Percy.

Cecilus &c. to our trusty Cutbert ffenwick of S^t maries gent p. 59
greeting. These are to authorise you to question all persons
whom you shall find vnlawfully trading within our Province of
Maryland, or shall find cause to suspect that they have traded
or attempt to trade with the Indians without licence from vs
from or vnder vs first had and obtained, and the persons so
offending together wth all such truck as you shall find with
them to attach and keepe in safe custodie vntill you shall

Liber Z. receive further order herein from vs or o^r Lieutenant gräll; And whereas we are informed that there is a wreck hapned on the Easterne shore within o^r Province; we doe further hereby authorise you to inquire and examine touching the said wreck, and whether any vntimely death of any person have hapned herein, and by what meanes; and if you shall find any such wreck to have hapned to take an inventory of the vessell wrecked and of all goods therein being or belonging to her; and the same to seise to our vse, and deliver to o^r Receivo^r generall, forthwith vpon your returne to S^t maries; and for so doing this shalbe your warrant. Given 26th Aprill 1638.

p. 65 the report of Cutbert ffenwick taken 8th may 1638
who saith that enquiring after the boate that was said to be cast away on the Easterne shore, he learned that it was the boate of one Rowland williams of Accomack; & that he was killed by the Indians of those parts; and one other w^{ch} was in the boate with him; & he was told by the young king of wicowamnen that it was the wichocomocos, or the Chesapanies, or both; & that the king of Patuxent was within 6. miles of the place where it was done; & that within 2 or 3 daies after the slaughter, the said king carried away the truck & boate to Patuxent.

p. 66 [Appointment of Cornwaleys as Deputy Governor.]

Know all men by these pñts that I Leonard Calvert Esq Lieutenant gräll of this Province, being to be absent for a while out of this Province in virginea, have constituted and appointed, and doe hereby elect constitute and appoint my good frend Captaine Thomas Cornwaleys Esq. and one of the Counsell of this Province to be in my place and steed, Lieutenant generall of this Province during such my absence out of the Province; and no further or longer. In witnesse whereof I have herevnto sett my hand this 27th of May 1638

Leonard Calvert.

27th may 1638

Memorand that this day came before me Captaine Henry ffeete, and acknowledgeth himselfe to owe vnto the Lord Propriet^r one hundred pound weight of good beaver to be paid vnto the Receivo^r of the said Lord Propriet^r vpon demand. And if he shall not so doe then he willeth & granteth for himselfe, his heires, exequutors admrātors that the said summe of beaver be levied vpon the lands goods & chattells of him the said Henry ffeete wheresoever they shalbe found.

The condition of this Recognisance is that if the Recognisee Liber Z.
Henry ffleete, shall not by himselfe or his factor or servant
trade with any Indians within the precincts of this Province, nor
shall transport any truck through the any part of this Province to
trade with any Indians on the South side of Patowmeck river;
without speciall licence hereafter obtained to that end from the
Governor of this Province for the time being then the Recogn-
isance to be void or els to stand in full strength.

Recogn coram me
Tho: Cornwaleys.

Henry ffleete

[Appointment of John Boteler as captain of Kent Island
militia.]

Cecilius &c. to o^r trustie John Boteler of the Ile of Kent
gent greeting. whereas in so remote an Iland and situate
among divers Salvage nations, the incursions as well of the
Salvages as of other enemies pyrates and robbers may prob-
ably be feared, therefore we reposing especiall trust and con-
fidence in the approved discretion skill and experience of you
the said John Boteler doe by these p^{nts} appoint you to be
Captaine of the military band of that Ile of Kent in all martiall
matters; and doe give vnto you full power to leavie muster
and traine at such time & place as you shall appoint all sorts
of men able to beare armes within o^r said Ile of Kent for the
time being (the Commander of the said Iland only excepted)
and in case of any sodaine invasion of Salvages or pyrates to
make warre and to vse all necessary meanes to the resistance
and vanquishing of the enemy, as likewise to exequite martiall
law ags^t any mutinous or disorderly p^{sons} of yo^r company, w^{ch}
shall any way offend against the law custome & discipline mili-
tary. And we doe further hereby authorise you to elect and
appoint such & so many sergeants or other officers for yo^r
assistance in the charge hereby committed vnto you as you
shall think fitt. And we doe further authorise you to make
and publish any orders w^{ch} you shall thinke fitt for the defence
and saftie of the Iland. and we doe hereby straitly enioine and
command all persons whatsoever within the said Ile of Kent p. 67
for the time being (after this Commission shalbe published in
the same Ile) to observe the said orders & every of them, and
to be obedient to all other the lawfull warrants summons &
commands of you the said John Boteler in all matters concern-
ing martiall discipline, as they will answere the contrary there-
of at their perill Given at S^t maries this seven & twentieth
day of may 1638

witnesse Leonard Calvert &c.

Liber Z. 7th June 1638

The bearer hereof Capt. Henry ffeete is hereby licensed to trade with any Indians for corne or roanoke to buy corne, either within this Province of Maryland, or on any part of the South-erne shoare below Patowmeck towne. Provided that he bring the said corne into this colony to be vsed & expended in the colony.

John Lewger Secretary

the same licence granted to James Cloughton July 9thp. 68 June 20.
1638

By vertue of a warrant to me directed I have seised into the Lord Proprietarie's hands; these goods and chattells, belonging to Captaine Cleyborne within Palmer's Iland.

Edward Griffin
william Jones
william fireman
Richard Raymond

servants

2. coves
2. heifers
3. steeres
1. bull
1. bull-calf

{ 1. sow & 7. piggs
1. boare & 2. barroes

10. gones
1. great brasse kettle
1. copper kettle
2. truck kettles
1. litle brasse kettle
a hammer
a maull
a drawing knife
a spring lock & key
a percer
a twohand saw
a pickaxe
a handbill
1 hominie sifter
an augur
a chamber
a house-lock & key
a pcell of blew beads ^{1 oz} 3 2
1. bushell of corne in a basket
a p of sheeres
6 yds. ½ foote peake
1 yard ½ roanoke
2. quilted coates
a worne
a case of bottles

1. iron ladle
a screw-plate
a broken chest-lock.
2. crusbles
a p of pincers
2. p of potthooks
3. bullet moulds for single shott
1. p of bullet moulds for pistoll & goose shott
a harquebush crook
an eele speare
6. weeding hoes
5. dutch hoes
6. hilling hoes
5. old broken hoes
five wedges
8. woodden combes
14. bone combes
3. old horse bells
2. halberds ^{yds} cont: 6-¾
4. remnants of blew cloth;
a table board
a woodden chest & padlock
a statute booke
a bread troughe
5 or 6 litle books
1 great booke of mr Perkins
2 washing tubbs

1
a barrell cont 15¾ of shott
oz
a gourd cont 6 of powder
a reaping hooke
5. dozen of truck-knives
5. sword-blades
20. truck-axes
10. old broken axes
6. large truck-axes
a toting iron
a hand saw
a froe
an iron pestle
an iron pott
2. trading-pipes
2. files
3. wire-fishhooks
a paire of hinges and a latch
a grindstone
an axe
a marking iron
Stamfords ples
a p of tables
a woodden forme
a combe-brush

Robert Vaughan

Also I received these goods belonging to Thomas Smith of Kent (as is said)

1. pewter basen
a pewter saltseller
2. petticoates for a child
1. stuff petticoate
a sow & 6 piggs
a litle presse
a bow and arrowes.

1. pewter candlestick
a gridiron
44 knives
a stomacher
1. cock and henne, and 7. chickens
1 woodden chest

2. pewter platters
whereof 1. melted
a stitch grogan doublett
3. stuff wastcoats
a remnant of cloth
a course cloth to cover a bedd

Also one boare belonging to Serg^t Howard of Kent (as is Liber Z. said)

This (as far as I can remember) is a true and perfect Inventory of all the goods received by Serg^t vaughan at Palmer's Iland

July. 1. the m^ke of J John ffullwood
alias Sands

The Accompt of Serg^t Robert vaughan

Imp^rmis, died at Palmer's Iland 1. steere

Item; killed at Palmer's Iland, at the Governors being there

1. boare of Serg^t Howards

1. sow of Tho: Smiths

7. piggs

the rest of the swine were left vpon the Iland

Item killed there, 1. cock and 7. chickens. the henne delivered to m^r Lewger.

the 4. servants delivered to m^r Lewger and the neate cattell

It one wedge lost

It 1. remnant of blew cloth; disbursed for corne for the maintenance of the company

It: 1. remnant of cloth remaining wth the Sergeant

It 1 wooden chest of m^r Smith's; remaining wth the serg^t

It. a p of tables delivered to Reinold ffileete

It throwen over board; a bread troughe, a wooden forme, quilted coate

It a case of bottles rem wth the Serg^t

It the litle books remaining wth the Serg^t & m^r Perkins booke

It a remnant of course-cloth; delivered to will: Cooke.

It the bow and arrowes delivered to Jack harrington

It 3. knives delivered to the servants.

It 1. washing tubb fallen in pieces. The rest of the goods mentioned in the Inventory delivered to m^r Lewger

p me Robert vaughan

William Clobery to Secretary Coke

28. June 1638.

Right Honorable,

The many wrongs and oppressions which wee suffer from the Lord Baltimore's people in Maryland, who have lately with armed men comeing in the night surprized our plantations, removed our servants and wholly ruinated what wee had there, enforceth us to renew our complaints to his sacred Majestie. In which way, being unable through sicknes to waite on you

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my selfe, I am bold to implore your assistance for me and my partners therein, assuring your Honor that wee shall not omitt to be really thankfull. The Earle of Sterling wilbe pleased to joyne his mediation with your Honor in moving his Maj^{tie} for our reliefe. I humbly take my leave and remaine

your Honor's most humbly
to bee commanded
William Clobery

London the 28th
day of June, 1638.

Liber Z.
P. 73.

9th July

| | |
|------------------------------------|--------------------|
| 40 yds of cloth at 30 ^l | |
| 120 | |
| 6 dozen knives at 20 ^l | |
| 3 doz scisso ^{rs} | 120 |
| | 20 ^l 12 |
| 2 ^l beads at | 06 |
| 3 ^l other beads | 04 |
| at 20 ^l | 06 |
| bells | 06 |
| hoes | — 12 |
| axes | — 12 |
| roanoke | — 10 |
| | 188 |

Entred by James Neale for m^r Hawley to be shipped on the Saint Nicholas; 1 peice of cloth cont 30¹/₂ yds 4 small peices of cloth cont 9³/₄ yds 6 dozen of knives 3 dozen of scissors 6 bunches of small white beads; 10 bunches of bigger white beads 2 bunches of purple beads a grosse of bells 24 hoes 24 axes 24 armes length of roanoke.

The tenth of this truck outward is 150^l of tobacco: w^{ch} said summe of 150^l of tobacco the said James Neale in behalf of his said m^r doth hereby acknowledge himselfe to owe vnto the Lord Proprietary to be paid on the 10th of Novemb next, in case it shalbe putt off for beaver; & he doth further hereby covenant to pay to the vse of the Lord

Proprietary at the next returne of the said vessell from her now intended voyage, the tenth part in kind of all beaver furs w^{ch} shalbe bought wth the said truck or any part thereof

James Neale

Sept: 10. 1638

the said James Neale, vpon his returne averreth that the fore-said truck for so much of it as was putt off, was putt off for corne onely; and desireth to be discharged of the foresaid Recognisance; and is granted

John Lewger Collector.

The King to Lord Baltimore
14. July 1638.

C: R:

Right Trusty &c. Whereas formerly, by our Royal Letters to our Governor and Councill in Virginia and to other our Officers and Subjects in those Parts, We signified our Pleasure that William Clobery, David Morehead and other Planters in

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the Island near Virginia which they have nominated Kentish Island, should in no sort be interrupted in their Trade or Plantation by you or any other in your Right, But rather be encouraged to proceed cheerfully in so good a work, We do now understand that though your Agents there had notice of our said Pleasure, signified by our Letters, yet contrary thereunto they have slain three of our subjects there, and by force possessed themselves by might of that Island, and seized and carried away both the Persons and Estates of the said Planters. Now out of Our Royal Care to prevent such disorders, as we have referred to our Comm^{rs} for Plantations the examination of the truth of these Complaints and required them thereupon to proceed according to Justice. So now by these particular Letters to your self We strictly require and command you to performe what our former Generall Letter did enjoyne and that the above named Planters and their Agents, may enjoy in the mean time their Possessions, and be safe in their Persons and Goods there without disturbance or further trouble by you or any of yours till that cause be decided, and herein we expect your ready conformity, that we may have no cause of any further mislike, Given under our Signet, at our Manor at Greenwich the 14th day of July in the fourteenth year of our Reign 1638.

To Our Right Trusty & c
Lord Baltemore.

By the Governor & Cap^t Generall of Virginia with the advise
& consent of the Counsell of State. A Proclamacōn

Liber A.
P. 324

Whereas the Kings most excellent Ma^{ty} was pleased by his Lr^{es} Patents to grant vnto the right ho^{ble} the Lo: Baltemore a territory or tract of land therein nominated and nowe knowne by the name of the Province of Maryland with divers franchizes & ymmunities therevnto belonging As in & by the sd Lr^{es} Patents more at larg appeareth Nothwithstanding w^{ch} said Royall Grant & publicacōn thereof in this Collony divers persons ill affected to the Governem^t established by his Ma^{ty} both here & in the said Province, haue by p^rtence of a former Comission factiously combyned to disturbe the said Lo: Baltemore in the possion of part of his said territory, as also to infringe the p^rviledg of trade in expresse termes solely granted to the said Lord Baltemore within the said Province, And after many violent & disorderly courses the said Pretenders haue soe farr pceedet as to Peticōn his Ma^{ty} that part of the said Province nowe knowne by the name of the Island of Kent & Palmers Island with the Trades thereof might bee confirmed to them The consid^racōn of w^{ch} their said Peticōn his Ma^{ty} was

p. 325

Liber A. pleased to referr to the most reverent and right ho^{ble} the Archb^{pp} of Canterbury the Lo: Keeper. the Lo: Privy seale and any other the Co^missioners for Plantacōns who should bee neere at hand and whom their Lo^{ps} were pleased to call. Wherevpon their Lo^{ps} meeting after a full hearing of both sides the said Pretenders Co^missions being likewise read, their Lo^{ps} did declare the right and title to the Isle of Kent & other places in question to bee absolutely belonging to the Lo: Baltemore, and that noe plantacōn or trade with the Indians ought to bee within the p^rincts of his Patent without Licence from him As in & by the Order of their Lo^{ps} more at larg appeareth, these are therefore for the future p^rventing of further mischeifes & Iniuries w^{ch} may arise from ignorant mistakes or p^rsumpcōns & p^rtences as formerly in his Ma^{ty} name to p^rhibit all p^rsons being or inhabiting or w^{ch} hereafter shalbe or Inhabit within the Govern^t of this Collony by themselves or others either directly or indirectly from the date of these p^rsents to vse exercise or entertaine any trade or commerce for any kinde of commodity whatsoever with any of the Indians or Salvages inhabiting within the said Province of Maryland viz: Northward from the River Wiconowe co^monly knowne by the name of Anancock on the Easterne side of the Grand Bay of Cheseopeack and Northward from Chinquack nowe called Great Wicocomico on the Western side of the said Bay And for the better regulating of all Trades within the said Collony It is further hereby commanded that noe p^rson shall resort vnto the habitacōns of the aforesaid Indians without Lycence first obteyned for their soe doeing from the Lo: Baltemore or his substitute vpon forfeiture of the goods & Vessels or the full value of them w^{ch} shalbe lawfully evicted to bee traded or employed contrary to the p^rmisses with such further punishm^t by ymprisonm^t of the party or parties offending against the true intent & meaning of the said Proclamacōn as shalbe thought fitt by the Governor & Counsell Given at James Citty the 4th of October Anno R^s Caroli decimo quarto Annoq dni 1638
God save the Kinge

Vera Copia Rich: Kempe Secretary

Liber F.
p. 132

Comissione and Licences under the Great Seal.

Cecilius Lord Proprietarie of the Province of Maryland Lord Baron of Baltemore sc To all persons to whome these presents Shall come Greeting Know Ye that We reposeing Especiall trust and Confidence in the fidelity and wisdom of William Blanthwaite Gentleman have authorised and appointed and by these presents Doe Constitute Authorise and appoint the Said William Brainthwait to be Comander of the Isle of Kent in

all matters of warfare by Sea and Land necessary to the resistance of the Enemy or Suppression of Mutinies and insolencies, to doe all Such things as to the Chief Captain or Commander doe belong and appertain untill wee Shall Signifie our pleasure to the Contrary and in all other matters Civill and Criminall to use and exercise all or any Jurisdiction and authority for the administration of Justice and Conservaçon of our peace within the Said Island as any Justice of the peace in England may or ought to use and exercise by vertue of this Comission for the peace, and further as there Shall be cause to hold a Court or Courts and in the Said Courts to award Process hold Pleas and to hear and finally determine All actions and Causes whatsoever civill happening and ariseing between any the Inhabitants of the Said Island and not exceeding in damages or demands the Value of one thousand weight of Tobacco, as also to hear and finally determine all misdemeanours and Offences whatsoever Criminall happening or Comitted within the Said Island, and to award Execution thereupon Soe that the Said Crimes extend not to the questioning of any one for his life or member and all matters or Causes whatsoever aforesaid to hear and determine in the most Summary and equall way that he may according to the Laws of this Province Established or to be Established (after publication thereof in the Said Island) and in default thereof, then according to the Laws of England as near as he Shall be able to Judge, And further to Elect and appoint all necessary Officers for the Execution of Justice and of the authority hereby Comitted unto him with allowance of Such reasonable ffees as are usually belonging to Such Offices, Given at S^t Maries this 22th day of October 1638, Witness &c

Liber F.

p. 133

[Additional Commission to William Brainthwait.]

Cecilius Lord Proprietary of the Province of Maryland Lord Baron of Baltemore &c To all persons to whome these presents Shall come Greeting, Whereas by our Comission under our Great Seal bearing date at S^t Maries the 22th day of October 1638, We did ordain and appoint our Dear Kinsman William Brainthwait Gent to be Commander of our Isle of Kent with Severall powers and authorities for that purpose, Now know Ye that for further Supply and Interpretation of the said Comission We Doe not only hereby confirm the powers and authorities therein granted unto the s^d William Brainthwaite, but doe further amplifie and enlarge it, Giving unto him by this our present Comission full power and authority by a precept under his hand to Summon or warn any person being within our Said Island to Answer to any matter or Suit Civill, or Criminall and to hear and determine all Suits of debt of

p. 134

Liber F. what value or demand Soever the Same Shall be, and if any person Shall be convicted of any debt either to ourself or any other by the Confession and acknowledgement of the party himself or by the verdict of Such as Shall trie the matter to award execucon for all Such Several Sumes by a precept under the hand of the Said William Brainthwait, which precept We doe hereby appoint Shall be a Sufficent warrant to the Sherriff of the Said Island to levie the Said Several Sumes contained in the precept of execution either by distresse and Sale of the goods of the partie against whome the Exécution Shall be awarded, or otherwise by Imprison^t of his person as the Said precept Shall direct, Given at S^t Maries the 21th December 1638, Wittness Leonard Calvert Esq &c.

[Order to Sheriff to attach property of Claiborne and partners.]

Liber C. B. Cecilius Lord Proprietary &c^a to the Sheriff of our Isle of
 1636-1657.
 p. 35 Kent Greeting Whereas William Cleyborn late of the Isle of Kent and his partners William Cloberry and David Morehead of the City of London in the Kingdom of England Merchants have jointly usurped our said Isle of Kent & since the absolute Lordship and Proprietary of the same Isle Granted unto us by his Majestys Charter under the Great Seal of England and since the promulgating of the said Charter within our province have notwithstanding Continued and maintained the said usurpation and the said William Cloberry and David Morehead both by Letters Messages and otherwise out of England have encouraged and Assisted the said William Cleyborn to Commit sundry insolences Contempts and Rebellions against our lawful
 p. 36 Government and Propriety of the said Island and have by sundry supplies of men arms and other Commodities ministred succour and means to the said William Cleyborn to defend and maintain the said Island against our said just right and Title and to drive a trade with the Indians of our province contrary to our Royal Right and priviledge therein and thereby put Us to Great Expençe and Charges for maintaining our said just Rights and priviledges and for repressing their sundry Attempts to the infringing and Overthrowing thereof if it had been in their powers and by their Coopers and Servants sent out of England to that purpose have felled down divers of the best Timber Trees for making of pipe Staves upon our said Land and have otherwise Trespassed and Committed Wasts upon the same to the Great disturbance of the peace of our said Province and to our damage of a 1000^l sterling therefore we do hereby Command and Authorize you to attach all or any the Pipe Staves or other Goods and Chattels whatsoever of the said William Cleyborn and his partners within

the said Isle of Kent and at the time of the said Attachment to Cite or Summon publickly the said William Cleyborn and his partners William Clobery and David Morehead that they appear either in person or by Attorney at some County Court held at Saint Marys before the first day of February which shall be in the Year of our Lord 1639 there to make Answer to such Trespasses wasts misdemeanors Contempts & seditious practices as our Attorney shall have to Charge them with on our Behalf and if at the making the said Summons or proclamation or within 15 days after any one shall offer to Bail the said Goods by putting in sufficient Security to the Value of the said Suit you shall by Virtue hereof take Recognisance to our use and thereupon release the said Attachment and if no Bail be Offered within the time limited we do hereby appoint and Authorise you to Cause so many of the said Goods and Chattels Attached whereof there shall be any danger of imparing or a necessity of present disposal thereof to be prised to their present best Value upon the place by 2 Skilful and honest meighbours indifferently chosen and to Cause the said Appraisment to be Given in open oath of the said Praysers to our Commander of the said Island and by him to be entred upon record and thereupon to deliver to Our use the said Goods and Chattels so praised and recorded to our Receiver General his deputy or Assignee he or they first putting in sufficient Security to Answer and Satisfy the full Value of all such Goods as shall be by them receiv'd as afores^d to the said William Cleyborn and his partners when they shall enter their appearance in our said County Court within the time aforesaid Limited and Appointed for their appearance Given at Saint Marys the 2^d of January 1638 Witness Our dear Brother Leonard Calvert Esq^r Lieutenant General of our province.

Liber C. B.
1636-1657.

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Cecilius Lord Proprietary &c To John Harrington

Liber F.
P. 135

Greeting: We doe hereby authorise and Command you To arrest any persons Vessells or goods tradeing or attempting to trade, or traded or attempted to be traded with any Indians of these parts in or upon any the Rivers waters or Shoars of the precincts of our Province without Licence from us or our Lieuten^t and the Same persons Vessells or goods to have afore us or our Lieutenant General at S^t Maries as Soon as conveniently you may there to Answer for the contempt Comitted against our Ordinance or Proclamation published in that behalf, And for Soe doeing this Shall be your warrant or Comission, Given at S^t Maries the 6th March 1638 Wittness Leonard &c.

p. 136

Cecilius &c To Cutbert ffennick Gent and John Hollis Mariner Greeting We doe hereby authorise and Command you

Liber F. to Search any vessells whatsoever lyeing riding or tradeing in or upon any the Rivers waters or arrest any persons Vessells or goods tradeing or attempting to trade or traded or attempted to be traded with any Indians of these parts in or upon any the Rivers waters or Shores of the Precincts of our Province without licence from us or our Lieutenant Gen^l and if Such persons Shall refuse to obey your arrest We doe further Authorise you to use all necessary force and means for the Compelling them to obey thereunto, Soe that you have them and their Said Vessells and goods afore us or our Lieuten^t General at S^t Maries as Soon as Conveniently you may, there to answer for their Contempt Comitted against our Ordinance and Proclamation published in that behalf.

Memorand that the last foregoing Entry is
Cross't out in the Orriginall Record book

[Order to arrest unlawful traders.]

Cecilius &c To Cutbert ffennick Gent and John Hollis Mariner Greeting. These are to authorise and Command you and either of you to goe aboard any Vessell or Vessells whatsoever riding or Sailing in or upon any the Rivers waters or Shores of the precincts of our Province and to Search the Same for any unlawfull Comodities traded or to be traded to from or with any Indians of this Province and to take Seise and arrest all Such Vessells goods and persons as you Shall find So unlawfully tradeing without licence from us or our
p. 137 Lieuten^t Generall and If Such persons Shall refuse to obey you or either of you in the Execution of this our Comission We Doe further authorise you and either of you to use all necessary force and means for the Compelling them to obey thereunto as you Shall find it to be needfull Soe that you or either of you have their Said persons Vessells and goods afore us or our Lieutenant General at S^t Maries as Soon as conveniently you there to answer for their Contempt Comitted against our Ordinance and in that behalfe And for Soe doing this Shall be your Comission, Given at S^t Maries this 11th March 1638 Witness Leonard &c.

March 14th 1638

A Comission to Andrew Chappell and Thomas Morris to trade for corne with the Indians and to export the Same out of the Province, and to trade with any People out of the Capes, and to import any Commodities traded for requiring all the Company to be obedient to Andrew Chappell and forbidding

him and them to deliver any Arms to any Indian or fforreigner Liber F.
to continue till the return of Andrew Chappell into the Province
Witness the Admirall

At a Court holden at Saint Marys 20th March 1638

Liber C. B.
1636-37.
P. 40

- The Governor Authorised the Secretary to Administer an Oath to him for the equal Administration of Justice &c^a

Then were Sworn Captain Thomas Cornwaleys Esq^r M^r Giles Brent Gent M^r John Lewger Gent in the form appointed for a Councillor to take upon the same bill

Then was Sworn the said John Lewger in the Oath Appointed for the Secretary

Then was chosen and Sworn for Sheriff and Coroner Thomas Baldridge for 1 Year

Then was chosen for Treasurer of the Province M^r Giles Brent

Then the Governor Authorised the Secretary to Administer to him the Oath of Allegiance as it is Recorded in the Bill of the last Assembly intituled an act for Swearing Allegiance

Then the Governor administred the same Oath to all the Council

Aprill 13th

Liber F.
P. 137

A Comission to Thomas Boys to arrest any persons vessells or goods unlawfully tradeing with the Indians by Land or water

25th April 1639

Liber C. B.
1636-1637.
P. 40

M^r Secretary

These are to will and Require you to draw a Commission to Captain Thomas Cornwaleys Esq^r &c^a for the hearing and determining of any Civil Causes hapning during my Absence from Saint Marys in the same manner as I my Self might do by the Law of the Province P. 41

Leonard Calvert

By the Lieutenant General & Council

28th May 1639

Whereas it is found necessary forthwith to make an Expedition upon the Indians of the Eastern Shore upon the publick Charge of the Province it is to that end thought fit that a Shallop be sent to Virginia for to provide 20 Corsletts a Barrell of Powder four rundletts of Shott a Barrel of Oatmeal 3 Firkins of Butter and 4 Cases of Hot waters and that 5 Able persons be pressed to go with the said Shallop and necessary

Liber C. B.
1636-1657.

provisions of Victuals be made for them and that a pinnace be pressed to go for Kent sufficiently Victualled & manned and there provide 4 hhds meale and likewise that a pinnace be sent to the Sesquisahanoughs sufficiently Victualled and manned and that 30 or more Good Shott-with necessary Officers be pressed out of the Province and that each of the Shott be allowed after the rate of 100^l tob^o p month or another man in his Room to tend his plantation and 2 Sergeants double the said Rate and that Victuals and other necessary Accommodations for the said Soldiers and for all Others which shall go as Volunteers be made and provided and 2 Pinnaces & 1 Skiff (if there be need) shall be pressed and fitted for the transporting and landing of the said Comp^a and that Good labouring hands be pressed to Supply the places of such planters as shall be pressed upon the Service and be allowed after the same rate of 100^l p month

Signed by

Leo: Calvert
Giles Brent
John Lewger

[Commission to Giles Brent.]

Liber F.

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Cecilius &c To our Dear and faithfull Councillor Giles Brent Esq of St Maries in our Province of Maryland Greeting.
Whereas the Military band of our Colony Of St Maries is now destitute of a Captain to lead and Command them and to Exercise them in the discipline Military We much relyeing upon your diligence Skill and knowledge, have thought fit to commend unto yourself that care and Charge and therefore We doe hereby Constitute ordain and appoint you to be Captain of the Said Military band with and under our Lieutenant General and to be henceforth Soe called and esteemed authorising and withall requiring you according to the trust and charge belonging to that place, to train and Instruct all Inhabitants of Or Said Colony able to bear arms (those only of our Councel Excepted) in the art and discipline of war, on holy days and at any other time when there Shall be need, and by your Self or your Sergeant or other officer once monthly if you Shall find it needfull to view at every dwelling house within the Said Colony the provision of arms and amunition necessary, and where you find any defect to amerce the party failing at your discretion if it exceed not 30^l Tob for one defalt, and further to punish any delinquents in any kind offending against the discipline Military, and with the Consent or direction of our Lieutenant General to use appoint & Command all power and means necessary or conducing in your discretion to the Safety

or defence of the Province in as ample manner, and with as ample and full power to all intents and purposes as any Captain or Commander useth or of right may or ought to use by vertue of his office of Captain Wittness our Dear brother Leonard Calvert Esq &c Given at St Maries this 29th May 1639. Liber F.

Cecilius &c To all persons &c Know Ye that

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We have granted unto the bearer hereof Andrew Chappell ffree licence and Authority to trade with any Indians of our Province of Maryland for corne, and the corne Soe traded for to export out of our Said Province, and to trade the Same with any people, Inhabiting to the Northward of the Capes Commonly Called Cape Henry and Cape Charles, willing and requiring all Such Seamen and others as Shall accompany the Said Andrew in his Said Voyage to be obedient to him in all his Lawfull Commands, and We doe Strictly prohibit the Said Andrew or any other accompanying him to export any arms or amunition to any Indian or fforreiner whatsoever upon pain of Such Severe punishment as Such a Crime Shall deserve And We will that this our Comission continue in force untill the next return of the Said Andrew or his Vessell into our Said Province of Maryland Witness Leonard Calvert Esq Admiral of the Said Province Given at St Maries this 11th June 1639.

Leonard Calvert Esq &c to Nicholas Hervey Greeting Whereas certain Indians of the Nation called the Maquantequats have Comitted Sundry Insolencies and rapines upon the English Inhabiting within this Province and being thereof demanded Satisfaction heretofore have refused to make any, and therefore Compelled us to enforce them thereunto by the Justice of a warr These are therefore to authorise you with any, Company of English as Shall be willing to goe along with you Soe they exceed the number of twelve men Sufficiently provided of arms to invade the Said Mancantequats only and against them and their Lands and goods to execute and Inflict what may be inflicted by the Law of warr and the pillage and booty therein gotton to part and divide among the Company, that Shall performe the Service And for Soe doing this Shall be your or Comission Given at St Maries this 3^d January 1639. p. 140

Cecilius &c To all persons &c Greeting Know Ye that We are in peace and Amity with the Patuxent Indians our Neighbours and have taken them into our Protection and therefore doe by these presents prohibit all English whatsoever within our pro-

Liber F. vince of Maryland for the time being that they doe not offer any Injury or outrage whatsoever to any of the Said Indians upon pain of Such punishm^t as the offence Shall deserve Given at S^t Maries the 24th January 1639 Wittness our Dear brother &c

3^d ffebr 1639

These are to will and require you forthwith to press any three Inhabitants of Mattapanient hundred with Sufficient Arms and Amunition necessary for their defence and with the Said men to goe to the Town of Aquascack in Patuxent River and there to demand and receive of the Indians an Aquascack Indian that Shall be there delivered to You for the Killing of an Englishman in Anthony Cotton's boat, and the Said Indian to bring in Safe Custody to S^t Maries and there to deliver him to my Self or (in my absence) to the Secretary, And for Soe doeing this Shall be your warrant.

[Commission appointing Giles Brent Commander of Kent Island.]

Cecilius &c To all persons &c Know Ye that We reposeing especiall trust and Confidence in the fidelity and wisdom of Cap^t Giles Brent Esq and one of the Council of our Said Province have Constituted and appointed and by these presents Doe Constitute and appoint the Said Giles Brent to be Commander of the Isle of Kent within our Said Province to Rule and Govern the Inhabitants and all other persons for the time being or Which Shall be within the Said Island according to the powers hereafter comitted to him that is to Say in all matters of warfare by Sea and Land necessary to the training of Soldiers and levying of them upon all occasions, to the resistance of the enemy or Suppression of mutiniës and exercising of Martial discipline within or about the Said Island, to doe all Such things as to a Captain doe belong by the Law of war, and in all Causes civil wherein right or damage is demanded by or of any Inhabitant of that Island, to cause right and Justice to be done according to the Laws or laudable usages of this province, or otherwise according to the Laws or Laudable usages of England in the Same or the like causes, as near as he Shall be able to Judge, and to trie all the Said Causes, and to use Command and appoint all power and means necessary or conducing to the doeing of right and Justice as aforesaid, And in all Causes Criminal prosecuted for Correction, not extending by the Law of England to the takeing away of life or member to try and Censure all Offendors in any the aforesaid Offences whatsoever within the Said Island, with

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Such punishment as he Shall think the offence to deserve And Libert F.
to Elect and appoint all necessary Officers for the Execution
of the power hereby Comitted unto him, And to use exercise
and Execute, all or any other power or powers for the Conser-
vation of the peace within that Island as may be exercised by
any Justice of peace in England by vertue of his Comission or
the Law of England, And for the better assistance of the Said
Giles Brent in the Execution of the premisses We have appoin-
ted our beloved friends William Brainthwait Gent Cap^t John
Boteler and Thomas Adams Gent Inhabitants of the Said Island
to be aiding and assisting to him both in their Councell and
otherwise to the uttermost of their Skill and power; to which
end We likewise require the Said Giles Brent to Consult and
advise with them in all occasions of Importance Given at S^t
Maries 3^d ffebruary 1639, Wittness our Dear brother &c

[Erection of St. Clement's Hundred.]

Cecilius &c To our Trusty John Robinson of S^t Clement's p. 142
Isle Greeting Whereas the Said S^t Clements Isle and that part
of the main over against it which lyeth between the Herring
Creek and S^t Catherines Creek is thought fit to be erected into
a hundred by the name of S^t Clements hundred, We willing to
provide for the better Conservation of the peace and of good
Order within the Said hundred Doe hereby authorise you to
be high Constable of the Said hundred, with all powers to a
high Constable belonging by the Law or usage of England
and in Speciall to arrest all Offendors against the peace and
them to Send or bring to our Lieuten^t General or Some Justice
of that division having authority to hear and punish Such
offences, and to enquire of and present to our Lieutenant
Gen^lal or other Justice afores^d all persons whatsoever that
Shall unlawfully trespass upon any our game of Deer, Turkies
Herons or other wild fowl or Shall destroy them their nest or
eggs, either upon our Land or waters, without leave of or
under us, and to take away their Netts Guns or other means
of takeing them, or that Shall Sell or without licence deliver
any arms or ammunition to any Indian or that Shall not have
ready upon all occasions, Sufficent arms and ammunition
within his house, as the Law requireth for defence ag^t the
Indians and to make Searches and to use all means necessary
for the Execution of the power hereby Comitted unto you:
S^t Maries 16th March 1639.

[Commission to Thomas Gerrard.]

Cecilius &c To our trusty Thomas Gerrard Gent Whereas
We have thought fit to erect the Isles called S^t Clements Isle

Liber F. and Heron Isle, and all the Land over against the Said Islands on the North bank of Patowmeck River between the Creek Commonly called the herring Creek on the East and St Cath-
 p. 143 erines Creek on the West and extending Northwards Into the woods five mile any where from the Said Bank into a hundred by the name of St Clements hundred, Now to the end our peace and rights and the good orders of our Province may be the better maintained and Conserved from time to time within the Said hundred We relyeing much upon your Provident and diligent Circumspection doe hereby appoint and authorise you to be the Conservator of our Peace within the Said hundred, as well upon the Land as upon the water adjoyning to it with all powers and authorities belonging to any two Justices of peace in England by the Law or usage of England, authorising you and with all charging and requiring you to use all power and means necessary for the preserving of any our rights within the Said hundred either upon the Land or water, and to punish according to your discession with imprisonment or ffine not exceeding 1^l Tob^o with any Corporal Correction not extending to life or member any offenders against our s^d rights and Specially Such as Shall destroy or disturb our game of Hernes upon Herne Island, by unlawfull takeing either of the fowl or Eggs or by Shooting upon or near the Said Island, and to take to your own use, the Guns netts or any other Instruments used by any offenders to the disturbance or destruction of any our game as afores^d and to apprehend and Send to St Maries All unlawfull traders with the Indians and Specially Such as Shall give or Sell to any Indian any arms or ammunition, And to See that the Inhabitants of the Said hundred be provided of necessary and Sufficient arms for their defence upon all occasions, and to doe all other things necessary for the Execution of any the powers hereby Comitted unto you Given at St Maries
 Wittness Leon

20 March 1639

A Certificate that the Governor is willing that W^m Brainthwait Should freely trade with any Indians of these parts, for any Corne to be expended in the Province and to prohibit all persons to molest him &c.

- p. 141 The like Comission to William Brainthwait Gent his Additis in Criminall post verb: the Said Island (with Such Corporal Shame or Correction, not extending to life or member as he
 p. 142 Shall think the Offence to deserve) etiam his in assissants (We doe hereby desire our Trusty friend and Councillor Giles Brent Gent &c (to advise with them in all greater Causes to

be determined in the Court and in all other occasions of Liber F.
Importance touching the Command or Governm^t formerly by
these presents Comitted to him) Given 29th Aprill 1640.

30th Aprill 1640

Cecilius &c To our trusty John Robinson high Constable of P. 143
S^t Clements hundred Greeting We Doe hereby Appoint and
Authorise you to be Coroner of S^t Clements hundred and P. 144
upon notice or Suspition of any person that hath or Shall come
to his or her death untimely with in the limitts of that hundred,
to warn as many Inhabitants of the Said hundred as you con-
veniently may to view the dead body and to charge the Said
persons with an Oath truly to enquire and true Verdict to give
how the person viewed came by his or her death according to
their Evidence and whether any person fled for the Same, and
to charge any person or persons as Shall be Said to know any
thing therein with an Oath to give true Evidence to the Jury
how the person viewed came by his or her death, and the
Verdict of the Said Jury to put into writeing and the Same to
Certifie to our Secretary at S^t Maries by the first Convenient
means, And to doe all other things and to receive Such fees,
as to a Coroner doe belong by the Law or usage of England.
Given at S^t Maries the Last day of Aprill 1640 Wittness our
Dear brother &c

Cecilius &c To our Trusty Thomas Games Marriner Greeting.

Memorandū that the last foregoeing Entry is Cross't
out in the Orriginal Record book

Cecilius &c to all &c Know Ye that We have granted and
doe hereby Give and Grant unto the bearer hereof Thomas
James Marriner ffree licence and Authority to export any Corne
bought or had of any Indians out of or through our Province
of Maryland unto any parts of New England and there to trade
the Same with any Inhabitants thereof and the goods or Como-
dities therewith bought or otherwise traded for to import unto
our Said Province of Maryland and there to utter or dispose
the Same at his best discretion, and We doe hereby will and
Command all Such Seamen and other passengers as Shall be
in the Vessell of the Said Thomas Games to be Obedient unto
the Said Thomas Games in all things as befits marriners or
passengers to be, And we will that this our Comission Continue
in force during pleasure of us or our Lieutenant General Given
5th May 1640.

Cecilius &c To our Trusty Henry Bishop Greeting We Doe
hereby authorise and withall will and require you To attach

Liber F. any person or persons unlawfully tradeing with any Indians of
 P. 145 this Province for beavers ffurrs or any other Commodities and
 Such person or persons to have at St Maries there to Answer
 for Contempt of the proclamation made and published in that
 behalf and if Such person or persons cannot be attached then
 to attach any truck or other goods whatsoever of or belonging
 to Such person or persons Soe unlawfully tradeing and the
 Same to keep in Safe Custody untill Such person or persons
 Shall put in Security to Answer Such contempts and Misdemea-
 nours that Shall be objected in that behalf against him or them
 at St Maries and forthwth upon your return to St Maries to
 deliver Such truck or goods Soe attached to our Receiver
 General or our Sherriff of St Maries And for Soe doeing this
 Shall be your warrant Given 13th July 1640.

Liber C. B. 21st August 1640

1636-57.

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Copy of Captain Cleyborns Letter of Attorney

P. 49 Know all men by these presents that I Cap^t William Cley-
 born of Kecoughton in Virginia Esq^r have made Ordained
 Constituted and appointed and by these presents do make
 ordain Constitute and appoint my wellbeloved Friend George
 Scovell of Nancimim in Virginia my true and lawful
 Attorney to ask demand levy Recover and Receive for me in
 my name and to my use all and singular Sum and Sums of
 money debts Cattle Tobacco debts and every thing and things
 whatsoever to me due payable or in any wise belonging of
 from or by any person or persons Inhabiting in the province
 of Maryland their Executors & Administrators and every of
 them Giving and by these pres^{ts} Granting unto my said Attor-
 ney full power and lawful Authority in the premises to plaint
 arrest sue implead & imprison there and every of there several
 Executors & Administrators & every of them and to Recover
 the same by Suit or Suits or to sue Execution or Executions
 upon the same Recovery or Recoverys according to the Laws
 of England af^d and also to Compound for acquit Release and
 discharge the premises and every part of them and moreover
 to perform execute conclude and finish for me and in my name
 and to my use all and every other Act and Act^s thing and
 things whatsoever that shalbe needful and necessary in and
 Concerning the premises as fully perfectly and Surely as if
 I my self were personally present and whatsoever my said
 Attorney shall do or cause to be done in and Concerning the
 premises I promise allow and Establish and thereto I Bind me
 mine Executors and Administrators and every of us firmly by
 these presents in witness whereof I the said William Cleyborn

have hereunto set my hand and seal the 8th day of this instant August 1640 Liber C. B.
1636--57.

Signed
William Cleyborn

Signed Sealed and Delivered
in presence of

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Henry Poole
Edw^d Conaway
Locus + Sigilli

To the Right Worshipful Leo: Calvert Esq^r and Governor
of Maryland and the rest of the Commissioners

The humble petition of George Scovell Attorney of
Captain William Cleyborn Esq^r

Sheweth

That Captain William Cleyborn at his departure from the
Isle of Kent left an Estate within your province as Your Peti-
tioner is informed amounting to a Good Value since which
time divers inhabitants within your province are possessed of
the said Estate but by what right your petitioner knoweth not

Your petitioners humble Request therefore is the
premises Considered that your Worships would be
pleased not only to allow of your Petitioners Letter of
Attorney but also to Grant unto him free power and
Liberty together with Your Worships furtherance there-
in for the recovery of the Aforesaid Estate in the hands
of any in whom it shall be found

And your Petitioner shall ever pray

The Answer

What Estate Captain William Cleyborn left within this
Province at his departure undisposed of on 24 March 1637
The Petitioner may know that it is Possest by right of forfeiture
to the Lord Proprietary for certain Crimes of PyracY and
murther whereof the said Cleyborn was attainted the day p. 51
aforesaid by judgment of the house of General Assembly if the
petitioner can find out any of the said Estate not possessed or
held by that right he shall do well to inform his Lordships
Attorney of it that it may be Recovered to his Lordships use
but if the said Cleyborn or any other to his use have since the
said day acquired any Estate within the Province the law of
the Province without any Grant or furtherance of Governor or
Commissioners gives the petitioner or any other Attorney of
the said Cleyborne free power and Authority to recover it and
when it is recovered such Order shall be taken with it as
Justice shall Require

[Proclamation against Forestallers.]

Liber F.
p. 145

ffor preventing the Avaritious designs, of all Such as Shall for private Lucre practise the Ingrossing fforestalling broking or Regrating of goods to the Common and publick damage and prejudice of the Inhabitants of the Province It is hereby prohibited and forewarned to all persons as well fforforeignors as Inhabitants, that noe person whatsoever fforestall contract bargain or bid price for any goods hereafter Imported or designed to be Imported into the Province to or with the owner of Such goods or any other to his use, nor receive or carry from aboard any Such goods, nor move or advise the owner of Such goods, to any price or certain rate to the prejudice of the Inhabitants, nor to import or utter them in the Province, or to unlade or utter the goods then in the Province, nor that any Such owner or other person importing any goods, Sell utter unlade or deliver any Such goods within the Province to any Such person afore or untill he have been with the Lieutenant General, or before leave published, to break bulk upon Such rates as Shall be agreed upon, and that after Such rates agreed upon and published by the Lieutenant General noe person buy Sell bargain or contract for any Such goods at higher rates than Shall be Soe agreed and published and that after any goods are arrived within the Province and rates published as afore noe person Ingross or buy to Sell again any Such goods out of any pinnace or less Vessell untill 7 days nor

p. 146

out of any Ship Or Greater Vessell untill 28 days at least after Such Ship or Pinace have had leave to break bulk, nor Sell or utter any goods Soe bought within the time aforesaid at higher Rates than the rates published for those goods, and that noe person whatsoever regrade or Sell again within this Province any goods bought in Virginia untill further leave or order from the Lieutenant General, And for the better Execucōn hereof I doe hereby will and require the Sherriff of each County Imediatly upon the arrival of any Ship or other Vessel in any County to goe aboard the Same, and there to fix a Coppy of his proclamacōn upon the Mast, and to use all means and authority requisite for an Officer to use, that the Same be duly observed by all persons whome it Shall concern and without further warrant to arrest and imprison any person or persons as Shall infringe or contemne the Same Whereof I require the Said Officers and all other persons to take notice upon perill of Such censure of Court as the Contempt and importance of it to the publick damage Shall deserve Given the 9th Novemb 1640:

Memorandum That the last foregoeing Proclamacōn is Cross't out in the Orriginall Record book.

Novemb 16th 1640.

Liber F.

These are to will and require you to warne William Brough and John Wortley that they be before Lieuten^t Rob^t Vaughan at Such place and time as he Shall appoint to take the Oath of viewers for the hundred of S^t Clements and to be there your-self to take the Same Oath whereof fail not And for Soe doing this Shall be your warrant

To the high Constable of S^t Clements hundred. Eod

These are to authorise you to Administer the Oath of a viewer according to the forme in that behalf by the Law Provided unto John Robinson John Wortly, and William Broughe of S^t Clements hundred Planters.

[Rents in Kent Island.]

Liber C. B.
1636-1657.
p. 51

Cecilius &c^a to the Sheriff of our Isle of Kent Greeting Whereas since our Conditions of Plantation published in the Year 1633 and since divers persons have entred upon the Isle of Kent and there seated themselves and taken up several parcells of Land whereby they became Obligated to the Rent Reserved upon the said Conditions these are therefore to will and Require you to demand of every several tenant possessed of or Claiming to any Land within the said Island the rent due for the said Land possessed or claimed by every such tenant viz^t] for every fifty Acres twelve pence Sterling or the Commodities of the Country for every year that he hath been possessed of the same for which twelve pence you may Receive four pound of Tobacco or one peck of wheat and whereas divers persons are possessed of several parcells of Land by Virtue of a pretended Grant from Captain William Cleyborn for the Yearly Rent of two Capons our will is that from such tenants you demand no more for the time past then the said two Capons for every Year that the Rent hath been behind and from such as shall be willing to Commute the said Rent into some other Commodities that you may take for every two Capons sixteen pound of Tobacco or one Bushel of wheat and if any shall Refuse or delay to pay their said Rents and Arrears of Rent due in manner as aforesaid or to Compound for the same as aforesaid then we do hereby Authorise you and withal will and require you to destrain for the same upon any the Lands Goods or Chattels of the party or parties so refusing or delaying and such rents as shall be by you received by virtue hereof make Accompt thereof to our Receiver General at Saint Marys who shall satisfy you for your pains therein whereof fail not & Given at Saint Marys this 7th December 1640

Cecilius &c^a to our trusty John Robinson high Constable of Saint Clements hundred Greeting Whereas William Britton of

Liber C. B. your hundred Gent hath Complaind to us that certain Indians have done him much Spoil in his Swine we willing to do him Justice therein as befits us do therefore hereby authorise you and withal will and Require you to repair to the King or Great men of any Town whose Indians have done him such Spoil as he shall Give you Notice of and in our name to demand of them that Satisfaction be made him for the same according to the damage that he hath suffered and if the same be Refused or delayed unjustly as you shall think to warn the said King or Great men or some of them as you shall think fit that he or they or some messenger authorised from them be with our Governor at Saint Marys within a Certain day by you to be appointed according to your discretion to shew Cause why they Refuse or delay to Give such Satisfaction as is demanded and to protest and denounce to them that if Satisfaction be not
 p. 53 made nor Cause shewen at or afore the said day that we intend to Give free Liberty to the said William Britton to right himself upon any the persons or Goods belonging to that Town by all means that he may and what you shall do herein certify to our Secretary under Your hand before the feast of our Lords Nativity whereof fail not Given at Saint Marys this 9th December 1640 Witness our dear Brother Leonard Calvert Esq^r &c^a

Liber F.
 p. 146

To Lieuten^t Robert Vaughan

Cecilius &c Know Ye that We for and in Consideration That Thomas Adams one of our Comissioners of our Isle of Kent Gent, hath performed unto us acceptable Service within the S^d Island, and to the end he may be encouraged to doe unto us and our heirs further faithfull Service within our Said
 p. 147 Island and Province of Maryland, Have of our Meer Grace of and with the advice Of our Dear brother Leonard Calvert Esq &c And hereby doe fully acquitt remitt and pardon forever, unto the Said Thomas Adams All and all manner of Pyracies at any time heretofore Comitted or pretended to be comitted by the Said Thomas Adams against our peace and dignity within our Said Province Given at S^t Maries this Sixth of March 1640. Wittness our Said Dear brother &c.

[Commission to Cyprian Thoroughgood.]

Cecilius &c To our trusty Cyprian Thoroughgood Gent Greeting, We reposeing especiall trust and Confidence in Your faithful diligence, have appointed and elected, and by these presents, Doe elect and appoint and Constitute you to be our high Sherriff of our County of S^t Maries, during this ensueing year, chargeing you by vertue of your Oath made to us in this behalf that you do diligently and duely execute the Said office

in all points belonging to it so far as You shall be able & th^t Liber F.
yo Execute or Cause to be executed, all writts and warrants
directed to you, and true and faithfull return doe make of all
Such writts and warrants Soe far as Shall be demanded of
you. Given at S^t Maries 8th Aprill 1641. Wittness our Dear
brother &c.

The Same day the Said Cyprian made oath to the purpose
aforesaid and bound himself to the Lord Proprietary and his
heirs in two thousand w^t of Tob. for the due performance of
his s^d oath

Cy: Thorowgood.

Cecilius &c To our faithfull and beloved Counsellor Giles
Brent Gent Greeting, Whereas many Causes may happen
within the Isle of Kent wherein our Commander of the Said
Island is a partie, or is or may be Interested which cannot be
called or removed to S^t Maries without great charge trouble
and hindrance both to our Said Commander and to any other
parties, And Whereas one Cause of this nature is now depend-
ing between Thomas Bradnock (our Said Commander's mate)
p^{lt} and Henry Bellamy Def^t being an Action of debt of 3000^l
Tob. We reposeing Especiall trust and Confidence in your
Judgment and Integrity Doe hereby assigne and authorise you
to try hear and determine as well the Said action of 3000^l Tob^o
as all other Civill actions whatsoever happening or arise-
ing within the Said Island wherein our Said Commander
is party p^{lt} or Defend^t or wherein the party p^{lt} or Defend^t
is intituled by from or under o^r s^d Commander or other-
wise notably interested in the Cause, that either partie
appeals from him and to award process for parties or Witt-
nesses to Administer Oaths, and to use and exercise all other
power and Means necessary to Such Judicature hereby p. 148
Comitted unto You, and to the Execution of it Except appeal
be made from your Sentence And if any party appeal from
your Sentence You as grievous or unjust you may notwith-
standing Cause Such your Sentence to be executed if you find
the appeal proceeds from intent of vexation or delay, In which
Case and you may bind Compell the partie appealing in Such
Sume to his Lordp & with Such Sureties as you Shall think fit
to prosecute the appeal at S^t Maries afore our Lieutenant
Governor within a Certain time by you to be limited reason-
ably and to abide and perform the Judgment that therein
wherein reasonable time to be given, and in like manner to
bind likewise the party Def^t in the appeale to be present afore
our Lieuten^t Governor or at S^t Maries at the Same time

Liber F. and place to defend the appeal and perform the Order of Court in it, Given at S^t Maries under our Great Seal this 8th May 1641 Wittness our Dear brother &c.

Acts of State.

Know all men by these presents that I Leonard Calvert Esq Lieutenant General of the Province of Maryland being to goe out of the Province to Virginea for a while doe hereby nominate Elect Substitute and appoint my respected friend Cap^t Thomas Cornwaleys Esq to be Lieutenant General of the Province during Such my absence out of the Province and noe longer to use and Execute all powers belonging to the Said Office Except only that he Shall not release any fines or forfeitures due to the Lord Propiary or pardon any Judgment heretofore given in Court.

Leonard Calvert

Liber C. B. 10th May

1636-57.
P. 55

Upon the petition of a Great part of the Colony for the pardoning of Dandy the Governor exchanged the Sentence of death into three Years service to the Lord Proprietary where-with the said Dandy was well Contented to serve three Years from the date hereof

Liber F. 4th July 1641

P. 149.

These are to will and require you to repair to every Several Plantation within the Several hundreds of S^t Maries S^t Michael's S^t George's and Mattapanient and there by all all means that you may to enquire and inform your Self whether every hand planting Tobacco this Crop doe plant and tend two acres of corne as the ground Shall be estimated by the Deputy Surveyor who is to accompany you to that purpose, and where you find any default of the Said quantity of corne planted and tended according to the proportion aforesaid to return the names of the persons makeing the default and the quantity of ground wherein you find the defalt to be made by the Estimation aforesaid to the Secretary before the ffeast of S^t Michael next comeing whereof fail not at Your peril, And for Soe doeing this Shall be your warrant
To the Sherriff of S^t Maries:

Whereas it is necessary at this present to Stand upon our guard against the Indians, these are therefore to publish and Straitly to prohibit all persons whatsoever that no man presume to harbour or entertain any Indian whatsoever after notice hereof upon pain of Such punishment as by Martiall Law may

be inflicted, And I doe hereby authorise and declare it Lawfull Liber F.
to any Inhabitant whatsoever of the Isle of Kent to Shoot
wound or kill any Indian whatsoever comeing upon the Said
Island untill further Order be given herein Given at S^t Maries
10 July 164

Signed Leonard Calvert

6th October 1641

Whereas an Assessment bearing date 6 May 1641 for the Liber C. B.
1636-57.
P. 57
levying of certain publick Charges is by the Leiu^t General and
Council made and Charged upon the severall Inhabitants of the
province according to the Act of General Assembly in that
behalf made and provided these are therefore to will and
require you to levy the sums assessed in the said Assessment
upon any and every the parties severally Assessed therein
within your County for the time being by distraining any
Tobacco's or by distress and Sale of any other Goods of the
party or parties refusing or delaying to pay the said Assess-
ment and to pay the Sums by You Levied unto the Treasurer
of the province and the Overpluss of any distress and Sale
after lawful fees paid to render it to the Owner Whereof fail
not at your perill and for so doing this shall be your warrant
To the Sheriff of S^t

Signed

Marys

Leonard Calvert

8th October 1641

p. 58

These are to License William Howkins to keep an Ordinary
or Victualling House at or near Saint Marys during pleasure

Signed

Leonard Calvert

Conditions propounded by the right ho^{ble} Cecilius Lord Liber P. R.
P. 35
Baltemore Lord Propriet^r of the Province of Maryland
in the parts of America, to such persons as shall ad-
venture or goe to plant in the Province aforesaid which
conditions are to begin from the ffeast of the Annun-
ciation of the Virgin Mary 1642. And to continue till
new or other conditions of planta^on for the said province
shalbe published vnder his Lo^{ps} hand and seale within
the said Province.

Imp^rmis what person soever being of Brittish or Irish descent
that shalbe at the charge to transport into the Province of
Maryland himselfe or his deputy with any number of able men
betweene the ages of sixteene and fifty yeares of age of the
discent aforesaid, provided & furnished with armes & munition
according to a pticular herevnder exprest, or any number of
women betweene the ages of fourteene and fourty yeares of age
There shalbe granted vnto every such Adventuror for every

Liber P. R. twenty persons he shall so transport thether in one yeare, a proportion of good land within the said Province conteyning in quantity two thousand acres of English measure; w^{ch} said lands shalbe erected into a Mannor, and be conveyed by grant vnder the Seale of the said Province to him or her and his or her heires forever in socage tenure, with all such royalties & priviledges as are vsually belonging to Mannors in England. Rendring & paying yearly vnto his Lo^{pp} and his heires for every such Mannor a quitt Rent of fforty shillings sterling p annū to be paid in the commodities of the cōuntry, and such other services as shalbe generally agreed for publique vses and the common good.

Item what person soever of the discent aforesaid shall at his or her owne charge transport him or her selfe and any lesse number of persons men or women then twenty of the discent aforesaid and aged & provided as abovesaid, he or she shall have assigned to him or her and his or her heires and assignes for ever for & in respect of him or herselfe and every such person as aforesaid, fifty acres of land within the said Province to be holden of some Mannor of his Lo^{pps} within the said Province in free socage paying therefore yearly a quitt Rent of twelve pence sterling p annū to his Lo^p and his heires for every fifty acres in the commodities of the country as aforesaid.

Item any person of the discent aforesaid that shall at his or her owne charge transport thether any children of the discent aforesaid, that is to say, boyes vnder the age of sixteene yeares and girles vnder the age of fourteene yeares, shall have granted to them and their heires for & in respect of every such child so to be transported as aforesaid twenty five acres of land within the said Province to be holden of some Mannor of his Lo^{pps} within the said Province as aforesaid vnder the yearly rent of six pence sterling for every twenty five acres to be paid as aforesaid.

Item every person whatsoever that shall clayme any proportion of land in the said Province of Maryland by vertue of the conditions aforesaid shall passe a grant of the said lands so due to him her or them as aforesaid vnder the Seale of the Province aforesaid within one yeare next after the said lands shalbe due vnto them and assigned and sett forth in some part of the said Province by his Lo^{ps} Lieuten^t grāl^l there, or in default thereof they shall by vertue of these conditions loose their right vnto the said lands for ever

A Particular of such Armes and Ammunition as are intended & required by the Conditions abovesaid to be provided & carried into the said Province of Maryland for every man betweene the ages of sixteene & fifty yeares w^{ch} shalbe transported thether. Liber P. R.

Imp'mis one muskett or bastard muskett with a snaphance lock

Item ten pound of powder

Item fourty pound of lead bullets, pistoll & goose shott, each sort some

Item one sword and belt

Item one bandelier & flask

dated at London, tenth day of November 1641.

C: Baltemore.

12th January 1641

I do hereby Authorise Giles Brent Esq^r Gent Councillor of this province to do use and appoint within the Isle of Kent all power and means necessary for the Administration of Justice and the peace and good Order of the Island as hath heretofore been used or may be used by the Commander of Kent and likewise to take inventories and Acco^{ts} of Administrators or Executors inhabiting within the Island and I do further appoint and Authorise Captain John Boteler to hear and determine all Causes wherein the said Giles Brent shall be plaintiff or defendant within the Island and to exercise all necessary jurisdiction therein

Liber C. B.
1636-1657.
p. 142

Signed

Leonard Calvert

[Commission appointing J. Langford Surveyor General.]

Cecilius by the Grant and Donation of his most Excellent Majesty Lord Proprietor of the Provinces of Maryland and Avalon Lord Baron of Baltemore To all to whome these presents Shall come Greeting Know Ye that We being very Confident of the fidelity Industry and provident circumspection of our trusty and well beloved John Langford Gent. out of our especiall favour certain knowledge and meer motion, have given and granted & by these presents for us our heirs and assignes Doe give and Grant to the Said John Langford the Office and place of Surveyor General of us our heirs and assignes of all and Singular Castles Lordship's Mannors fforrests Chases parks messuages tenements Lands woods Rents Revenues possessions and hereditaments whatsoever of us our heirs and assignes within our Province and territory of Maryland as well within liberties as without, And We Doe by these presents make Ordain and Constitute as aforesaid the Said John Lang- Liber F.
P. 150

Liber F. ford Surveyor General of us our heirs and assignes, To have and to hold enjoy and exercise the foresaid Office to the ffore-said John Langford by himself or his Sufficient Deputy or
 p. 151 Deputies during his fñal life Together with all vayles fees regards advantages profits and allowances whatsoever to the Said Office belonging and appertaining as fully and intirely and in as ample manner & forme as any other of our Surveyors ever heretofore had held or enjoyed the Same or any Surveyor of the Province of Virginea ever had held or enjoyed the Said place and Office of Surveyor Generall in the Said Province of Virginea Commanding all to and by these presents, firmly enjoyning All and Singular Sherriffs and Other our Officers Ministers and all other people within our Said Province of Maryland that they be Obedient assistant and aiding to the Said John Langford and his Deputy or Deputies in the Execution of the foresaid Office from time to time as they Shall be thereunto required, and as becometh them Given at S^t Maries this 24th March 1641.

Signed Leonard Calvert
 locus + Sigilli

In House of Lords.

Historical
 M. S. Com.
 Report V

1642. March 26.

p. 14

Petition of William Arundell Esq. That a writ ne exeat regno may be granted against Lord Baltimore who is intending to depart the Kingdom and go into Maryland where he hath a Plantation (see Lords Journal IV. 671.)

[Commission to Robert Evelin.]

Liber F.
 p. 153

Cecilius &c To our Trusty Robert Evelin Greeting Whereas it is necessary at this present to put the English liveing at Piscatoway in a posture of defence ag^t the Indians, and to comitt the care and charge thereof unto Some able and discreet person We relying much upon your Skill and courage, Doe hereby Constitute appoint and authorise you the Said Robert Evelin to take the charge and Command of all or any the English in or near ab^t Pascatoway, and to leavie train and Muster them upon all occasions, to punish and Correct delinquents according to y^r discretion and the discipline of war, to make war, resist, or offend any enemies whatsoever, that Shall assault you or them, and to pursue them by Sea or Land, and by any means you may to take and vanquish them, and either to Save or kill them at your pleasure by the Law of war, and to doe all and every other thing, which unto the charge and Office of a Captain of an Army belongeth or hath accustomed to belong, And We hereby require all the Said English to be Obedient unto you,

in executing the charge and Command aforesaid upon pain of Liber F.
Contempt as may be Justly Inflicted by the Law Martiall, Given
under our Great Seal at St Maries this 23th June 1642

This our Comission to endure untill further Order to the
Contrary. Given 23 June 1642.

- Cecilius &c To our Trusty Councillor William Blount Esq p. 154
Greeting Whereas the Military band of our County of St Maries
is at this time destitute of a Captain to take care & Charge of
the Safety and defence thereof Especially in this present danger
and fear of the Incursions of Some Indians our enemies, We
relyeing much upon the Skill and Courage Doe hereby Con-
stitute and authorise you to be the Captain of the Souldiery
our Said County of St Maries to leavie Muster and train all or
any English able to bear arms within Or S^d County according
to your disretion and to punish all Contemnners and other
offenders against the Law of discipline of war, according to the
Said Law and discipline as near as you may, and to use all
force and means you may for the resistance of the Enemy and
Safety and defence of the Colony, and to doe all and every
other thing which unto the Charge and Office of a Captain of
an Army belongeth or have accustomed to belong, And We
doe hereby require all the Inhabitants of the Said County and
all other persons within the Same for the time being to be
obedient unto you in all things that Shall concern the Execution
of the power & Command hereby Comitted unto you upon
Such pain of Contempt as may be Justly Inflicted by the Law
Martiall, This our Comission to endure untill the return of our
Dear brother Leonard Calvert into this Province, or untill
furth^r Order to the Contrary Given 23 June 1642.

Orders proclaimed 23 June 1642 upon pain of death or other
penalties, as by Severity of Martiall Law may be inflicted:

That noe Inhabitant or housekeeper entertain any Indian
upon any colour of Licence, nor doe permitt to any Indian any
Gunn powder and Shott.

That all housekeepers provide fixed gunn and Sufficient
powder and Shott for each person able to bear arms.

Noe man to discharge 3 Gunns within the Space of $\frac{1}{4}$ hour p. 155
nor concurr to the dischargeing Soe many, except to give or
Answer alarm.

Upon the hearing of an Alarum every housekeeper to answer
and continue it Soe far as he may.

Noe man able to bear arms to goe to church or Chappell or
any considerable distance from home without fixed gunn and
1 Charge at least of powder and Shott.

Liber F. Of these every one required to take notice upon pain of Contempt. for better execution, the Serj^t to inform the Lieuten^t Governor or Captaine.

2^d July 1642

Cecilius &c To our trusty William Mac: ffenin Greeting, We relyeing upon your Skill and experience doe hereby appoint and authorise you to be Serjeant of S^t Maries and S^t George's bounds and to have the ffee thereof; and to train & to muster All men able to bear arms in S^t George's hundred once every fortnight and provide all arms and amunition if no Inconveniency hinder and in all other things within the Said bounds of S^t Maries to have use & exercise the charge & office of a Serjeant as it useth or ought to belong to it, And We doe here by require all persons, Inhabiting within the S^d S^t George's hundred or within the hundred of S^t Maries or S^t Michael's to be obedient respective and assisting to you in the quality and Office of Serjeant as aforesaid: Given this Second July 1642.

Memorandum That the Last foregoeing Comiçon is Cross't out in the Orriginal Record book

A Comission to Macfenin to the purpose of the warr^t Signed by Gov^r 11 July 1642

These are to desire you to repair to the Great men of Patuxent and of the Nations adjoyned to them and of them to demand in my name to deliver without delay unto Simon
p. 156 Demibiel or Henry Bishop or any other the bearer or Bearers whereof the persons of Such Indians of any of those nations as Shall be named to you by the Said Simon or Henry to have done unto them and other English injury in their Swine & otherwise, to the end the Said Simon or Henry may bring the S^d Indians before me to answer Such Complaints as Shall be objected against them by the said Simon or Henry or any others, And Certifie me what you have done herein as Soon as you may, And this Shall be your warrant.

To M^r Rigby.

2^d August 1642

These are to will and require You to draw a Comission to M^r Giles Brent to be Commander of the Isle of Kent and for William Luddington and for M^r Richard Thomson to be Joyned with him in Comission and to put the Great Seal to it, and then Send it to me to be Signed, and this Shall be your warrant.

Signed Leonard Calvert

To M^r Secretary.

[Commission appointing Giles Brent Commander of Kent Liber F.
Island.]

Cecilius &c To all persons &c Know Ye that We doe hereby appoint and authorise our trusty Councillor Giles Brent Esq to be Commander of our Isle of Kent in all matters of warfare by Sea and Land necessary to the resistance of the enemy or Suppression of Mutinies and insolences to doe all Such things as to a Chief Commander doe belong and to be chief Judge in all matters civill and Criminal happening within the Said Island, And We Doe further hereby authorise and appoint our trusty William Luddington and Richard Thomson Gent to be Comissioners within the Said Island to all powers and as by the Law of the Province doe or Shall belong to the Comissioners of a County And We require all persons for the time being within the Said Island that they doe acknowledge obey and respect the Said M^r Giles Brent M^r William Luddington and M^r Rich^d Thomson in the quality of Commander and Comissioners respectively as aforesaid as they will answer the Contrary hereof At their perill, Given at p. 157
S^t Maries this Second August 1642 Wittness our Dear brother &c.

Cecilius &c To our Trusty Richard Thomson and William Luddington Comissioners of our Isle and County of Kent Greeting We doe hereby appoint and authorise you to administer an oath to M^r Giles Brent Esq Commander of the Said Isle in the words following [You Swear that whilst you are in Comission of Judge within this Province you will defend and maintain all and every the due rights and Jurisdictions of the Lord Proprietarie of this Province the peace and wellfare of the people you will procure Soe far as you may you will delay nor denye to man right or Justice, but equall Justice will administer to all men to your best Skill according to the Laws of the Province Soe help you God] And what you Shall doe herein Certifie unto us or our Lieuten^t General without delay, Given at S^t Maries this 2^d August 1642.

Cecilius &c To our Trusty Councillor Giles Brent Esq Commander of our Isle of Kent Greeting We doe hereby appoint and authorise you to Administer an Oath to M^r William Luddington and M^r Richard Thomson Gent Comissioners of the Said Island in the Same forme as they are appointed to Administer it to your Self in the Comission above directed, And what you Shall doe herein Certifie unto us or our Lieuten^t General without delay Given ut Supra.

Liber F. 18th August 1642

Comission to Cap^t Cornwaleys to leavie men and Command them, and use all power and means conducing in his discretion to the resistance and Castigaçon of the enemies and vanquishing of them in as full and ample manner as any Cap^t General of any army may, and requiring all officers and Soldiers &c to be obedient and assistant to him upon paines as may be Inflicted by Martiall Law:

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Coppie of a Letter Written by our Gov^r to Gov^r of Virginea.

Honoured S^r

The knowledge I have of your most diligent & Provident care of the General good and Safety of all his Maj^{ties} Subjects Comitted to your Charge and the affection you have to ours of this Province your Neighbors and fellow Subjects makes me confident to present unto You the necessities w^{ch} the barbarous Massacres Comitted formerly upon John Angood and four others of his Majesty Subjects in his Company belonging to your Colony, and now lately againe upon eight more belonging to this Province together withe burning and robbing of their houses, hath drawn both upon your Self & me, of Setting forth of an expedition against the s^d Indians for the vindicateing of the Honour of our Nation, and also to deterr the like outrages upon us for the future, for which purpose I have desired this Gentleman Coll^o Trafford to present my requests unto you for the aid of 100 men furnished and Set forth fitting for the Service from you out of your Colony to be with me at the Isle of Kent, where I have appointed our Rendez vouz. on the first of October next, where I will have in readiness 100 more of this Province will be able to afford them with the Safety of those, that must be left at home in their houses. S^r the first harm was yours from the fores^d Indians, which I was desirous to have revenged had I been able being nearest to the habitations of them (as I formerly have done upon the Nanticoque Indians for the death of one Rowland Williams of Accomack before the Joynt expedicoⁿ made by both Colonies) Since we have received this last Mischiefe, by reason yours by Angood's death and his Companies was noe Sooner punished, therefore I doubt not but you will apprehend the necessities which our General Safety for the future requires that it be noe longer deferred but put in Execution with all the Speed that may be, to which I will not fail to add what help I can from hence, This Gentleman Coll^o Trafford will be able to informe you of all things that you Shall desire to know concerning it from hence, his worthy abilities

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are known unto you wherefore give me leave to referr you Liber F.
unto him and rest:

ffrom S^t Maries this 23th
August 1642

Yo^r faithfull friend to 'Serve
you.

Leonard Calvert

25th August 1642
Henry Bishop

You are notwithstanding any former Order or Instructions to the Contrary to permitt all Inhabitants of your Division to tend their Cropps only upon any alarum they are to repair without any delay to your ffort and upon any alarum from Patuxent you are to repair with all your Strength to aid that ffort, and the English there whereof fail not, And this Shall be your warrant

Signed Leonard Calvert

[Orders in case of attack by Indians.]

Whereas it is necessary for the Safety of the Colony to reduce the Inhabitants liveing dispersed in Several plantations to Some places of better Strength in Case of any Suddain inroad of Indian Robbers and pillagers, I have therefore appointed and doe hereby Command and Ordain in the name of the Lord Propriary that noe Inhabitant of this Colony presume (untill further Order or liberty in that behalf) to discharge or Concurr to the dischargeing of three Gunns within the Space of one quarter of an hour upon any occasion whatsoever unless upon Mustring days except there be reasonable occasion to make an Alarum and that every one upon the Sight of any Indians in any Suspicious manner without delay use the best means he may to make an Alarum by the dischargeing of three Gunns as near one after another as he May, And that every housekeeper upon the hearing of an Alarum Answer it by Shooting off 3 Gunns. And that every housekeeper inhabiting in S^t Michael hundred between S^t Inigo's Creek and Trinity Creek imediatly upon the knowledge hereof carry his women and Children as are belonging to his family unto S^t Inigo's ffort there to abide for one Month from the date hereof, unless liberty be Sooner given to the Contrary And I doe hereby Command, and authorise the Sherriff of this County to take charge and Command of all the persons able to bear arms within the division aforesaid, and to appoint 6. able men to keep Guard in the Said ffort day and night during the time aforesaid—And I require all the persons able to bear arms within the limitts aforesaid to be obedient and assistant unto the Said Sherriff in the Execution of his S^t Charge as they will answer the Contrary at their perill. And I doe further appoint

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Liber F. and Command that the housekeepers of the other part of S^t Michael's hundred from Trinity Creek Southward doe carry their women and Children unto the house of Thomas Steerman, and that Lieutenant Thomas Baldrige take charge of the S^d Southern part and keep Guard in like manner as is afore appointed for S^t Inego's, and further that the housekeepers of S^t George's hundred, doe carry their women and Children to the house of M^r Weston, Such house as Shall be thought most defensible by George Pye late Burgess of that hundred and that Said George Pye take charge and Command of the Said hundred of all the men able to bear arms within the Said hundred and appoint and keep Guard in like manner as is afore appointed for S^t Michael's hundred and that all Several persons of the S^d Several hundreds able to bear arms be obedient and assistant unto the Said Several persons respectively appointed to take Charge and Command thereof as aforesaid as they will Answ^r the Contrary at their perill and of all the Several Commands a^d I doe hereby require every one to take
 p. 161 notice Soe far as it may or Shall concern them upon the Severest pains as by Martial Law may be inflicted upon the Contemnners of an Ordinance Soe much importing to the Common Safety, Given at S^t Maries this 28th August 1642.

Memorandum. That Such part of the foregoing Ordinance under which black lines are drawn Signifies that the Same words are Struck out in the Orriginal Record book.

Liber P. R. Commission of Lieutent
 P. 30 Generall

Cecilius Lord and Propriet^r of the Province and countries of Maryland and Avalon in the parts of America, Lord Baron of Baltemore &c. To all and singular persons to whom these p^{nts} shall come, Greeting. Know ye that we for divers speciall considerations vs therevnto moving, have revoked and determined, and by these p^{nts} doe declare that we doe hereby revoke and absolutely determine all former Commissions heretofore granted vnto our deare brother Leonard Calvert Esq or to any other person whatsoever, for or concerning the govern^t of o^r said Province of Maryland, and all power & authority by vs thereby granted vnto him or to any other of o^r Councill or to any other person or persons whatsoever in & by the said Commissions or any of them. And we doe hereby likewise discharge all & every pson & psons whatsoever from our Councill, and to be of o^r Councill within the said Province of Maryland, w^{ch} heretofore have beene of o^r Councill there. Nevertheles considering & well knowing that the people

there cannot subsist and continue in peace & safety without some good govern^t to be ordeined and established as well for the cherishing of the vertuous and orderly, as for the punishm^t of the lewd and disorderly persons there; and calling to mind the faithfull and laudable services done by o^r said deare brother Leonard Calvert Esq, as well in the adventure of his person in the first discent & settling of o^r Colony within o^r said Province of Maryland as in the ordering & advancing of the same by his personall residence within the same o^r said Province, wherein he hath manifested to the satisfaction of o^r selfe and of our colony there, such wisdom, fidelity, industry & other vertues as render him capable & worthy of the trust hereby by vs intended to be reposed in him; have nominated constituted ordeined authorised established & by these p^{nts} doe nominate ordeine constitute authorise & establish the said Leonard Calvert in the absence of vs and o^r heires o^r Lieuten^t Gräll, Admirall, cheife Captaine & Comander aswell by sea as by land of o^r said Province of Maryland & the Ilands to the same belonging. And we doe by these p^{nts} grant vnto him the cheife comandm^t & absolute authority above & in all matters of warfare by sea and land, to exequite & administer the same to the resistance of the enemies, or suppression of mutinies & insolencies, as o^r said Lieut^t shall think most commodious for the preservation of o^r said Province, and to doe all such things as doe belong or apperteine to the office of a Generall, Admirall, cheife Captaine & Comander in as large & ample manner to all intents & purposes as we our selfe might doe if we were psonally p^{nt} by force or vertue of the l^{res} Patents to vs granted by o^r Sovereigne Lord King Charles vnder the great Seale of England bearing date at westm^r the 20th day of June in the 8th yeare of his Ma^{ties} reigne. To have hold exequite & administer the same with such & as ample power and authority as we if we were there psonally p^{nt} might doe or exequite the same by force or vertue of the l^{res} Pattents aforesaid, vntill we shall signifie o^r pleasure to the contrary.

And we doe hereby further ordeine & command all such as shalbe hereafter sworne of our Counsell within o^r said Province of Maryland, all Captaines Officers and souldiers aswell by sea as by land whom it doth or may concerne, all o^r officers receivers bailiffs Marshalls & all other inhabitants of o^r said Province of Maryland of what quality & condition soever. That they & every of them doe acknowledge the said Leonard Calvert in the quality of Lieut^t Gräll Admirall cheife Captaine & Comander over all o^r foresaid Province of Maryland and the Ilands & members of the same, and doe honour respect & obey him as they ought to doe vpon paine of such punishm^t to

Liber P. R. be inflicted vpon them & every of them as such a highe contempt as the disobedience & neglect thereof shall deserve. And to the end that no man shall pretend ignorance we doe command this o^r Commission & ordinance to be proclaymed & published within o^r said Province at the places accustomed to proclayme & publish any our Edicts & Ordinances comand- ing him o^r said Lieut^t to proceed with rigor against all con- temners & neglecters of the same in such strict & severe manner as we o^r selfe might doe by force & vertue of the said l^res Pattents if we were there psonally pnt and that without favour & connivence.

And we doe further by these pnts make constitute ordeine & establish the said Leonard Calvert to be o^r Chancell^r Cheife Justice and cheife Magistrate within o^r said Province vntill we or o^r heires shall signifie the contrary vnder o^r hand & seale; and we doe hereby give him power from time to time to appoint & constitute officers & Ministers for the admtrāon and
 P. 31 exequution of iustice, and for doing & exequuting of all other things whatsoever w^{ch} belong to the establishing and govern^t of a good & happy commonwealth within o^r said Province.

And we doe further by these pnts grant vnto him o^r said Lieut^t Chancell^r, Cheife Justice and cheife Magistrate full & absolute power & authority when & as often as he shall think fitt to call & summon one or more generall assemblie or assemblies of the freemen of o^r said Province or their deputies at such place or places within o^r said Province as he shall think fitt, for the consulting preparing & enacting of wholesome Lawes and Ordinances for the govern^t & well ordering of the said Province & people within the same To w^{ch} purpose we doe hereby grant full power & authority vnto o^r said Lieut^t Gräll Chancell^r cheife Justice & cheife Magistrate from time to time in every gräll assembly to be summoned by him in the said Province of Maryland in o^r name steed and place to give assent & consent vnto all such lawes & ordinances as he o^r said Lieut^t gräll Chancell^r cheife Justice & cheife magistrate shall think fitt & necessary for the good govern^t of the said Province of Maryland, and w^{ch} shalbe consented vnto & approved of by the ffreemen of the said Province or the maior part of them or their deputies to be assembled by him the said Lieut^t Gräll chancell^r cheife Justice & cheife Magistrate there from time to time for the enacting of Lawes within that Province. Provided that the said Lawes so to be assented vnto by him o^r said Lieuten^t Gräll cheife Justice & cheife Magistrate there in o^r name be as neare as conveniently may be agreeable & not contrary to the Lawes of England. Every w^{ch} Law so to be assented vnto by him o^r said Lieuten^t Gräll Chancell^r cheife Justice & cheife Magistrate there in our name & consented

vnto & approved of by the ffreemen or their deputies or the maior part of them as aforesaid we doe hereby declare shalbe in force within the said Province till wee or our heires shall signifie our or their dissassent thervnto vnder o^r or their hand and seale & no longer, vnlesse after the transmission therof vnto vs or o^r heires & due consideration had therevpon we or o^r heires shall think fitt to confirme the same vnder o^r or their hand and seale. Liber P. R.

And we doe by these p^{nts} grant full power & authority vnto o^r said Lieuten^t to adiorn prorogue or dissolve all & every such assembly and assemblies by him heretofore called or hereafter to be called at his pleasure.

And forasmuch as the calling of a gräll Assembly of the said ffreemen and the consulting about & enacting of Lawes will require long time & much consultation, and many times sodaine & other necessary occasions may happen or fall out w^{ch} require a speedy remedie, we doe therefore hereby grant vnto him o^r said Lieuten^t full power & authority from time to time to make constitute ordeine & publish in o^r name such reasonable & profitable edicts & proclamations within o^r said Province of Maryland with reasonable paines & penalties therin to be expressed to be duely inflicted on all offenders ags^t the same as he o^r said Lieuten^t in his discretion shall think fitt: and as by the Irēs Patents above mentioned is and are warranted. Provided that such penaltiēs doe not extend to the taking away the rights or interest of any person or psons of or in their life members freehold goods or chattells: nor be repugnant or contrary but agreeable as neare as may be to the Lawes established within the Realme of England, and to the Lawes & ordinances established or to be established within o^r said Province of Maryland. All w^{ch} edicts & Proclamations shall stand in force onely and vntill we or o^r heires shall signifie the contrary vnder o^r or their hand and seale to him o^r said Lieuten^t and the people there, or that he o^r said Lieuten^t shall in his discretion think fitt to repeale the same, or that the same be repealed in a gräll Assembly of the said ffreemen or their deputies to be called & assembled as aforesaid with the consent of o^r said Lieuten^t

And further we doe hereby grant full power & authority vnto him o^r said Lieuten^t to appoint from time to time fitt places for publique Ports for lading shipping & unlading & discharging of all goods & merchandise to be imported or exported out of o^r said Province; and to appoint officers & Ministers in the same places and ports; & also to erect & establish convenient places for the holding & keeping of ffares & marketts, and to establish marketts and ffares to be there held vpon [certaine] daies for that purpose to be by him appointed.

And we doe further by these p^{nts} grant full power & p. 32

Liber P. R. authority vnto him our said Lieuten^t (if he see cause) to pardon and remitt in part or in the whole all paines forfeitures or penalties w^{ch} any person or persons within o^r said Province shall incurre for any crime misdemeanor or offence against any the Lawes Ordinances or orders whatsoever made or to be made for the good govern^t of o^r said Province and to grant Pardons for all & every such delinquents in o^r name vnder o^r great Seale of o^r said Province, so as such pardon or pardons extend not to the pardoning of highe-Treason..

And further we doe by these p^{nts} (committ the custody & keeping of o^r great Seale of o^r said Province vnto him o^r said Lieuten^t And we doe hereby further grant vnto him o^r said Lieuten^t power & authority for vs & in o^r name to passe & grant vnder the same o^r great Seale, all writts and processes, all Commissions aswell for authorising such pson and psons to be of o^r Counsell there as we shall from time to time appoint by warrant or direction vnder our hand & seale, as for the exequution of iustice, and for dividing & bounding of Lands, all pardons licences and all other publique acts & deeds whatsoever w^{ch} shall at any time passe within o^r said Province

And we doe further hereby grant full power & authority vnto him o^r said Lieuten^t for vs & in o^r name to passe & grant vnder o^r said great Seale to such person & psons, such proportions & quantities of land within o^r said Province for such estate & interest and with such privilegedges & immunities as we have since the sixteenth day of october 1640. or from time to time shall give him o^r said Lieuten^t warrant for vnder our hand and seale. All w^{ch} grants so to be made or passed after the same grants, and the said warrants vnder o^r hand & seale for the passing thereof shalbe inrolled by our Secretary of the said Province for the time being, & not afore: we doe hereby declare shalbe effectuall in Law ags^t vs, & shall bind vs & o^r heires as firmly as if livery & seisin had beene given and exequuted thervpon.

And because we hold it fitt that some persons should be sworne of o^r Counsell within o^r said Province, for the better assistance of him o^r said Lieuten^t in the exequution of the premises, and of the charge by vs committed vnto him, we doe hereby authorise and require o^r said Lieuten^t to administer the ordinary oath of a Counsell^r every such person & psons w^{ch} shall hereafter be admitted of o^r Counsell within o^r said Province of Maryland before such person & psons to be admitted to be of o^r said Counsell, wth whom o^r said Lieuten^t shall from time to time advise as he shall see cause vpon all occasions concerning the good govern^t of o^r said Province of Maryland and of the people there.

And we doe hereby further grant full power & authority

vnto him o^r said Lieuten^t to enquire heare determine and finally to iudge of & vpon all causes criminall whatsoever of what nature kind quality degree or condition soever the same shalbe, w^{ch} may happen or arise within o^r said Province of Maryland as fully and absolutely as we o^r selfe might doe by force or vertue of the l^rs Pattents aforesaid if we were p^rsonally present to give sentence or iudgem^t of in or vpon the same (excepting only where the life or members of any person shall or may be inquired of or determined) And to award exequution vpon every such sentence or iudgem^t and also to heare & determine all civill causes actions suits & demands both in law & equity of or concerning any goods, chattells contracts debts demands or other personall or mixt action or actions suit or suits whatsoever (excepting where the freehold of any p^rson or p^rsons shall come in quæstion) in the most summary & æquall way that he may according to the orders lawes & statutes of that o^r said Province of Maryland already made & established or hereafter to be made or established, and in default of such lawe established or to be established within the said Province of Maryland, then according to the Lawes & Statutes of the Realme of England as neere as he can or may iudge or determine thereof.

And where the life member or freehold of any p^rson or p^rsons shall happen to come in quæstion within o^r said Province of Maryland, we doe hereby grant vnto him o^r said Lieuten^t and vnto such persons as we shall from time to time by Commission vnder the great Seale of o^r said Province nominate & appoint to be of o^r Counsell within the said Province of Maryland, or vnto any three of them (whereof o^r said Lieuten^t to be alwaies one) full power & authority to inquire heare and determine thereof according to the Lawes of o^r said Province of Maryland established or to be established, and in default of such Lawes there established or to be established, according to the Lawes of England as neare as they can iudge thereof, and to award exequution accordingly.

And lastly whereas o^r said Lieuten^t may happen to die or be absent for some time out of o^r said Province of maryland, before we can have notice to depute any other in his place, we doe therefore hereby grant vnto him o^r said Lieuten^t full power & authority from time to time in such cases to nominate elect & appoint such an able person inhabiting & residing within o^r said Province of Maryland as he in his discretion shall make choice of & think fitt to be o^r Lieuten^t Grall Chancell^r Admirall cheife Captaine Magistrate & Comander aswell by sea as by land of o^r said Province of Maryland and of the Ilands to the same belonging, and in as large & ample manner as we have by these p^rmits authorised him o^r said Lieuten^t to governe for

Liber P. R. the pñt. And in case oʳ said Lieutenʳ shall happen to die or be absent out of oʳ said Province of Maryland, and shall faile to make choice of nominate & appoint some person to be oʳ Lieutenʳ gräll, Admirall Chancellʳ and cheife Captaine Magistrate and Comander of oʳ said Province of Maryland as well by sea as by land, we doe hereby grant vnto oʳ Counsellors there for the time being or the greater part of them full power & authority from time to time in every such case to nominate elect & appoint such an able person w^{ch} shall then be of oʳ Counsell there and inhabiting & residing within oʳ said Province of Maryland as they or the greater part of them shall make choice of and think fitt to be oʳ Lieutenʳ Gräll, Chancellʳ Admirall, cheife Captaine Magistrate & Comander aswell by Sea as by land of oʳ said Province of Maryland and of the Ilands to the same belonging. Which person so to be chosen & appointed in any of the cases aforesaid we doe hereby declare shalbe oʳ Lieutenʳ Gräll Chancellʳ Admirall cheife Captaine & Comander of oʳ said Province of Maryland during the absence of oʳ said brother or vntill we or our heires shall signifie oʳ pleasure to the contrary. To w^{ch} Lieutenʳ Gräll Chancellʳ Admirall cheife Captaine Magistrate & Comander so to be elected nominated and appointed as aforesaid we doe hereby grant the like power & authority in all causes & things, as wee have by these pñts given & granted vnto oʳ said brother hereby comanding oʳ Counsellors Captaines souldiers Officers & Ministers for the time being, and the people of oʳ said Province of Maryland and all others whom it may concerne to be obedient vnto him in all things matters & causes as we have in & by these pñts commanded them to be obedient vnto oʳ said brother oʳ pñt Lieutenʳ Gräll Chancellʳ Admirall cheife magistrate Captaine & Comander, vpon paine of such punishment to be inflicted vpon them & every of them as such a highe contempt shall deserve Given vnder oʳ great Scale of oʳ said Province of Maryland at oʳ ffort of S^t Maries within oʳ said Province on the fourth day of September anno dñi 1642. the same fourth of Septemb was the said Commission published at the ffort at S. Maries.

Commission of the
Councill

Cecilius Lord and Proprietʳ of the Provinces of Maryland and Avalon in the parts of America, Lord Baron of Baltimore &c. To our deare brother Leonard Calvert Esq. oʳ Lieutenʳ Gräll of oʳ said Province of Maryland, and to our trusty & welbeloved Colonell ffrancis Trafford Esq Thomas Cornwalleis Esq John Lewger Esq William Blount Esq and John Langford Esq greeting. Know ye that we reposing especiall trust & confidence in yoʳ wisedomes diligence & experience have assigned & appointed you iointly & every of you

severally to be of o^r privie Councell within o^r said Province of Liber P. R.
Maryland.

And we doe hereby give vnto you & every of you full power and authority from time to time & at all times vntill we shall determine or otherwise revoke this present Commission to assemble & meete together with o^r Lieuten^t Gräll of our said Province for the time being when & where he shall from time to time direct & appoint to treat consult deliberate and advise of all matters causes and things w^{ch} shalbe discovered vnto you or be brought before you as well concerning the quiet govern^t and regulating the people there, as for the good & safety of o^r said Province of Maryland; and for the better & more peaceable govern^t of o^r said Province of Maryland we doe hereby assigne & appoint you & every of you vntill we shall revoke or determine this p^{nt} Commission, to be o^r Justice & Justices Commissioner and Commissioners for conservation of the peace within o^r said Province of Maryland; and doe hereby grant vnto you & every of you (in case any breach of Peace shall happen within your or any or either of your view, or in case you shalbe informed of any breach of the peace, full power & authority to arrest or call before you by yo^r warrant to be directed to the Sheriffs Constables or other Officers of Counties townes villages & other places within o^r said Province of Maryland all & every the offender & offenders ags^t o^r peace, and if you see cause to bind over the offender or offenders with a good surety or sureties to appeare before o^r Lieuten^t Gräll and the Counsell there to answer the same, & in the meane time to keepe the peace or be of the good behaviour as the case shall require. And in default of such suretie or sureties to be by such offender or offenders tendred vnto you, to committ the offender or offenders to the common goale or next prison within the said Province as to you shall seeme fitt, there to remaine vntill they shall find good suretie or sureties as afore-said, or vntill he or she or they shalbe delivered by o^r Lieuten^t Gräll or the Counsell of o^r said Province of Maryland, or the greater part of them wherof o^r Lieuten^t Gräll for the time being to be one. p. 34

And we doe hereby further grant vnto you & every of you full power & authority to attach arrest or by your warrants to cause to be arrested and attached and to bring to due punishm^t all offender & offenders in weights & measures all forestallers of marketts regrators ingrossers extortioners riotters & other offenders ags^t the publique wellfare & peace of o^r said Province of Maryland

And we doe hereby command all o^r Sheriffs Officers and Ministers whatsoever that they & every of them be obedient vnto you our said Counsellors and Commissioners & every of

Liber P. R. you in all things as becometh. Given vnder the great Seale of o^r said Province of Maryland at o^r ffort of S^t Maries within o^r said Province on the fifth day of September anno dñi 1642.

Commission of Secretary. Cecilius Lord & Propriet^r of the Provinces and Counties of Maryland and Avalon in the parts of America Lord Baron of Baltemore &c. To all and singular persons to whom these pñts shall come Greeting. Know ye that we having had long experience of the abilities & industry of o^r trusty and welbeloved Counsell^r John Lewger Esq in performing vnto vs good & faithfull service in o^r said Province of Maryland, & reposing especiall trust in his wisdoms diligence & experience have constituted appointed & ordeined and by these pñts doe constitute appoint and ordeine him the said John Lewger to be our Secretary of o^r said Province of Maryland, and also Judge of all Causes Testamentary & Matrimoniall within our said Province.

And we doe by these pñts appoint constitute & ordeine the said John Lewger aswell to be o^r principall officer & keeper of the acts & proceedings of vs and of o^r Lieuten^t Gräll and Counsell there for the time being, and of and for the entring & recording of all grants by vs or our heires to be made of any lands or offices within o^r said Province of Maryland, and for the entring & recording of all other matters acts and things w^{ch} by any instructions lawes or ordinances made or given or to be made or given for or concerning o^r said Province of Maryland shall or ought by the appointm^t of vs and o^r heires or by the appointm^t of o^r Lieuten^t Gräll or other cheife govern^r there for the time being or otherwise to be entred as recorded, as also o^r Collector & Receivor of all our rents revenues and customes & of all amerciements tolls profitts & dueties whatsoever already due or payable & that shall hereafter from time to time be due or payable vnto vs within our said Province.

P. 35 To have and to hold exequite & enioy the said office & offices vnto the said John Lewger during o^r pleasure.

And we doe hereby promise & grant signifie & declare that all and every acquittance or other discharge vnder the hand and seale of the said John Lewger shalbe to all and every the people there within o^r said Province a sufficient discharge for such rents customes profitts & other dueties w^{ch} shall from time to time be paid vnto him the said John Lewger for our vse, Given vnder o^r great Seale of o^r said Province of Maryland at o^r ffort of S^t maries within o^r said Province, on the fifth day of September 1642.

P. 17 Proclamation

By the Lieuten^t Generall

These are to publish & declare that the Sesquihanowes, Wicomeses, and Nantacoque Indians, are enemies of this Pro-

vince, and as such are to be reputed & proceeded against by Liber P. R.
all persons. Given at St Maries Sept 13th 1642

Leonard Calvert

Sheriff's Patent

Cecilius Lord & Proprietary of Maryland &c. p. 28

To all persons &c. Know ye that wee reposing especiall trust in the faithfulness & diligence of Edward Packer, doe hereby constitute & appoint him to be our highe Sheriff of o^r County of St Maries. To have & to hold the said Office vnto him the said Edward Packer, vntill the first of October 1643. And we doe hereby require & command all p^{er}sons whatsoever within o^r said County for the time being, to be aiding & assisting to him in the performance of his said Office & to acknowledge obey & respect him in the quality of Sheriff, as they will answere the contrary at their perill. And we doe further authorise him to appoint his bailiff or vndersheriff in every hundred within the said County at his pleasure. Given at St Maries this fifteenth day of September 1642. Witnesse o^r deare brother Leonard Calvert Esq &c.

Sheriffs oath

on the sixteenth day of Septemb this Oath following was administred to Edward Packer; viz [You shall sweare that well & truely you will serve the Lord Proprietary of this Province in the office of Sheriff, & doe the Lords profit in all things that belongeth to you to doe by way of your office as far forth as you may; you shall truely & rightfully treat the people of your sherifwick, & doe right as well to poore as to rich, in all that belongeth to your office; ye shall truely returne and truely serve all writts & warrants lawfully directed to you, to your cunning; and in all other things ye shall well & faithfully discharge the office of Sheriff committed vnto you, to your skill & power. So helpe you God.]

Sheriffs Recognisance.

Edward Packer acknowledgeth himselfe to owe vnto the Lord Proprietary three thousand weight of tobacco, in case he shall not performe & exequite the office of Sheriff truely faithfully & diligently both to the Lord Proprietary, & to all the people according to his oath above taken.

Recognit coram me

John Lewger

These are to give notice to all persons that have any accompt or demand to claime of the colony, for any goods, hire, pay or other charge in or for the late expedition ags^t the Indians, that they give in a note of such their claime or demand

Liber P. R. to the Lieutenant Grall or Secretary afore the first day of November next, when the accompt of that expedition are to be made vp; whereof every one to take notice vpon perill of losing their accompt or demand after that time

p. 37 Cecilius &c. to all psons to whom these pnts shall come Greeting. Know ye that we doe hereby constitute & appoint William Mackfening the bearer thereof, to be Sergeant of the military band of the severall hundreds of S^t maries County, to have vse and exequite the said office of Sergeant with all rights powers & fees to such office vsually or by Law appteining during o^r pleasure. And we doe hereby require all persons able to beare armes within the said hundred to obey & respect him the said William in the quality & office aforesaid in all things apperteining to their duty in that behalfe as they will answere the contrary at their perill: and to come to be trained & exercised by him at such places & times as he shall reasonably appoint within the said severall hundreds. Given at S^t maries this 17th Octob. 1642. witnesse o^r deare brother &c.

Commission to mr Gerard
& mr Neale

Cecilius &c. To o^r trusty Thomas Gerard and James Neale of S^t Clements
p. 42 hundred gent, or to either of them greeting. whereas vpon yo^r complaints formerly made to vs of divers spoiles committed vpon yo^r cattell by the Indians of yo^r parts, we have demanded satisfaction of some of the great men of those townes, and have not obtained any as yet, and therefore have admonished them to committ no more the like at the price of their lives that should committ it, willing them to publish such our admonition to the severall Indians of those townes, Since w^{ch} time neverthesse divers the same & worse iniuries have beene & are (as you complaine) daily committed vpon yo^r corne & cattell: We reposing especiall confidence in yo^r discreet managing hereof, doe hereby warrant & authorise you at any time or times as you shall meet with any Indians killing yo^r cattell, or otherwise trespassing vpon you in any your lands holden by grant from vs, to demand of them satisfaction for the iniuries received from them or any of their nation, and in default of such satisfaction, to pillage them of what you may within your said lands, and to vse any other force to chastice them & putt them off your lands as you shall think fitt to deterre them from attempting the like againe. And if any of them shall resist or proffer any violence against you in the exequution hereof, to the endangering of the persons of yo^r selves or any of your company assisting you herein then to vse any further force or violence as you shall think fitt for the repelling of the force &

yo^r owne safeties, yea althoughe it be to the killing any of them Liber P. R.
if it shalbe necessary. Given at St Maries this 29th Octob 1642
witnesses o^r deare brother &c.

1642

November 1st

Vacat ista p^a aliam
infra.

demandants to the colony, for accompt of p. 47
pay or other charges to the expedition
begun on the 21th Septemb last & finished

on 13th Octob following

| | | |
|--|------------------|--|
| will macffenin Sergeant, demandeth for his pay as officer | 0200 | 1. tob |
| John Genalles for pay | 0075 | |
| John Scoffin for pay | 0075 | |
| John Stubborne for pay | 0075 | |
| Thomas holmes for pay | 0075 | |
| daniel duffill for pay | 0075 | |
| Thomas Jackson for pay | 0075 | |
| Thomas ffrancilin for pay | 0075 | |
| Tho: baldridge, for pay for his serv ^t alex: banum | 0075 | |
| Alexius Pulton for surgeons pay | 0150 | |
| william, durford for 4 oares pressed | 0100 | |
| John Prettiman for pay | 0075 | |
| henry bishop, for 1 months pay | 0100 | |
| for hire of his boat 1. month | 0100 | |
| John hallowes for hire of his boat 1. month | 0100 | |
| for 1. man pressed to supply will Macfenin's absence | 0075 | |
| Edward Parker sheriff, for pressing 20. psons | 0200 | |
| daniel Clocker for pay | 0075 | |
| Marshall at Th. Hebden's for his paines in killing an ox | 0010 | |
| Capt: Cornwaleys (p atturnat Cutb ^t ffennick) | | |
| for 10 ^l powder | 200 ^l | } 0487 |
| 106 ^l bulletts & lead | 212 | |
| for pay of Jo. holderne | 075 | |
| John Lewger: for 426 ^l beefe; at 2 ¹ / ₂ is | 1065 | } 3300 wth cask |
| for 5. pecks salt | 0040 | |
| for 2. bb ^{shels} pease at 60 | 0120 | |
| for 1. hhd to pack meate | 0020 | |
| for 1. case to putt shott &c. | 0016 | |
| for 1. bb ^{rel} corne | 0100 | |
| for 8 ^l powder | 0160 | |
| for 1. bushel salt more | 0030 | |
| for 2. axes | 0024 | |
| for pay of Tho: Speak | 0075 | |
| for hire of catch, men & victuals at Kent, 2-daies | 0150 | |
| at 75 p da: | | |
| for 1. ox at Kent; æstim- ated 600 ^{wt} at 2 ¹ / ₂ | 1500 | |

Liber P. R. demandants since the 1st novemb.

| | |
|---|------|
| william hardige for pay | 0075 |
| barnaby Jackson for pay of his serv ^t | 0075 |
| John Lewger for frait of 2. of the sick soldiers | |
| from Kent | 0060 |
| for cask for 3300 ^l tob: at 10. p cent | 0330 |

p. 55 St Maries 25th november 1642.

An Assessm^t made by the Lieuten^t Gräll & Counsell
for the levying of 1210^l tob, allowed to John Hollis &
Henry Hooper by order of the house of Assembly 13th
Septemb last, vpon the severall psons, & according to
the proportions following. vix

St Maries County — 806^l

| | | | |
|-------------------------------|------------------|---------------------------------|----|
| m ^r Lewger | 030 ^l | thomas franclin | 02 |
| m ^r Blount | 050 | John hatch | 05 |
| m ^r Langford | 030 | John thomson | 05 |
| Capt Cornwaleys | 200 | John medley | 05 |
| m ^{rs} Tranton | 030 | John Robinson carp ^r | 05 |
| m ^{rs} white | 020 | philip west | 05 |
| m ^{rs} Brent | 005 | Robert Tutty | 05 |
| m ^r Gerard | 030 | John Cook | 05 |
| m ^r neale | 020 | Ellis beach | 05 |
| m ^r weston | 050 | John Gye | 05 |
| m ^r Binx | 010 | william wright | 05 |
| m ^r ffennick | 020 | richard banks | 05 |
| Tho. baldridge | 020 | rob ^t sedgrave | 05 |
| m ^r wiseman | 002 | thomas hebden | 05 |
| Nathan: Pope | 020 | Edward hall | 05 |
| nicolas Cossin | 020 | thomas orly | 04 |
| John hollies | 005 | Edward Parker | 04 |
| John hollis carp ^r | 005 | william thomson | 02 |
| John thatcher | 005 | william browne | 02 |
| John price | 005 | rob ^t smith | 02 |
| nicolas hervey | 010 | walter waterlin | 02 |
| thomas petit | 005 | John hull | 02 |
| thomas sterman | 005 | John rutlige | 02 |
| thomas yewell | 005 | will: marshall | 02 |
| steven thomas | 005 | roger oliver | 02 |
| henry James | 005 | Jo: Langford carp ^r | 02 |
| george pye | 005 | Jo: mariburgh | 02 |
| randol Revel | 005 | Jo. warren | 02 |
| walter Beane | 010 | rob ^t dixon | 02 |
| peter draper | 005 | Jo: brisquett | 02 |
| James Johnson | 005 | thomas thomas | 02 |

| | | | | |
|-------------------------|-----|----------------|----|-------------|
| John Nunne | 005 | arthur le hay | 02 | Liber P. R. |
| Rob ^t Kedger | 005 | henry bishop | 02 | |
| henry Lee | 005 | Simon demibiel | 02 | |
| John Ormsby | 005 | walter Cottrel | 02 | |
| Edward Cottam | 005 | John harwood | 02 | |
| Edward Simson | 005 | will: durford | 02 | |
| william Broughe | 005 | henry brooks | 02 | |
| Daniel Clocker | 005 | francis Gray | 02 | |

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1642

Vpon Kent County — 404¹

P. 56

November

vacat ista taxatio

p aliam infra

| | | | | | |
|------------------------------|-----|-----------------|----|------------------------|---|
| m ^r Giles Brent | 100 | francis brooks | 04 | philip Conner | 4 |
| Leiuten ^t vaughan | 010 | thomas butler | 4 | John phillipps | 4 |
| m ^r Luddington | 010 | thomas Games | 4 | william berry | 4 |
| m ^r Thomson | 010 | william Smith | 4 | rob ^t short | 4 |
| John Abbott | 010 | william wildy | 4 | derrick geritson | 4 |
| John Gresham | 010 | william Lant | 4 | Edward tomson | 4 |
| nicolas browne | 010 | thomas Stent | 4 | Edward Comins | 4 |
| Edmond perry | 010 | thomas Allen | 4 | thomas dyar | 4 |
| John Bennett | 010 | James Cloughton | 4 | william porter | 4 |
| william Cox | 010 | andrew basha | 4 | ralph pettiman | 4 |
| John Smith | 010 | robert Lake | 4 | walter weeks | 4 |
| John marwood | 004 | John walker | 4 | henry morgan | 4 |
| John Peare | 004 | richard hobin | 4 | richard purlevant | 4 |
| John Tomson | 004 | John russell | 4 | henry fouch | 4 |
| Rob ^t philpott | 004 | william Jackson | 4 | giles basha | 4 |
| richard pinner | 004 | george crouch | 4 | John palmer | 4 |
| Thomas arnold | 004 | thomas haies | 4 | william Naufone | 4 |
| walter smith | 004 | roger baxter | 4 | Hoell morgan | 4 |
| francis rabnett | 004 | devoreux godwin | 4 | thomas parker | 4 |
| John powell | 004 | robert short | 4 | willia risbrook | 4 |
| mathew Rodan | 004 | henry East | 4 | | |

404

signed; Leonard Calvert

John Lewger

William Blount

Jo: Langford.

The Account of John Lewger Esq. of his disbursements by him made or vndertaken for the late expedition; for the levying whereof he prayeth an assessm^t vpon the colony.

1 tob. wth cask

| | |
|---|------|
| Impr for 2-bushells & 1-peck of salt at 40 | 0090 |
| It. for 2 bushells of pease at 60 | 0120 |
| It for 1 barrell of corne | 0100 |
| It for 8 ^l of powder at 20 | 0160 |
| It for a case w th lock & key to putt shott in | 0016 |

| | | |
|-------------|--|--------|
| Liber P. R. | It for 2 axes | 0024 |
| | It for 426 ^l beefe, at 2 ¹ / ₂ p i | 1065 |
| | It for 1 oxe at Kent æstimated at 5 ^c w ^t | 1250 |
| | It for a hogshhead to pack the meat in | 0020 |
| | It for hire of a catch, mens wages & victuals being vnder presse 2 daies at 75 ^l p day | } 0150 |
| | It. for passage of 2 souldiers from Kent that were left behind | |
| | | 0060 |

3955

| | |
|---|------|
| It for cask for this at 10. p cent | 0305 |
| It paid m ^r william brainthwait for Captaine's pay | 0400 |
| It paid will mack ffenin for sergeants pay | 0200 |
| It to Alexius Pulton for surgeons pay | 0150 |
| It to henry bishop for souldiers pay 1 month | 0100 |

names 13 Souldiers

| | |
|-----------------------------|--|
| Jo: Genallis | |
| Jo: Scoffin | |
| Jo: Stubborne | |
| Tho: holmes | to ditto for boathire p 1. month 0100 |
| dan: duffill | It to sheriff for pressing 20 souldiers 0200 |
| Tho: speak | It to 13 souldiers for pay 3 weeks |
| Tho: Jackson | at 75 0975 |
| Tho: franclin | |
| Alexand ^r Comins | 5485 |

Jac: preteman
dan: clocker
will. hardige
James tt

It for allowance for collecting this at 10. p cent; is 0548

total 6033

John Lewger

This Accompt is admitted

Leonard Calvert
Will Blount
Jo: Langford

p. 60 1642

December

An Assessm^t of the Province by the Leient^t
Gräll & Counsell, for the levying of six thousand
w^t of tob to the vse of the Accompt aforesaid;
vpon the persons, & according to the proportions
following.

Assessed vpon the County of St Maries
viz vpon

4000^t Liber P. R.

| | | | |
|----------------------------------|-----|-------------------------------|----|
| m ^r Lewger Esq | 170 | John hollis | 20 |
| Capt. Blount Esq | 350 | John hollis carp ^r | 20 |
| m ^r Langford Esq | 220 | John price | 20 |
| Capt Tho. Cornwaleys Esq | 800 | david whitcliff | 20 |
| m ^{rs} Ma: Trantow widd | 150 | thomas petit | 20 |
| m ^{rs} frances white | 100 | tho: Sterman | 20 |
| m ^{rs} margaret Brent | 040 | tho: yewell | 20 |
| m ^r Greene | 040 | Steven thomas | 20 |
| m ^r Binx | 060 | henry James | 20 |
| m ^r Gerard | 150 | George Pye | 20 |
| m ^r Neale | 100 | randol Revell | 20 |
| m ^r weston | 350 | peter draper | 20 |
| m ^r fennick | 120 | James Johnson | 20 |
| thom. baldridge | 120 | John Nunne | 20 |
| nathan: Pope | 120 | rob ^t Kedger | 20 |
| nicolas Cossin | 120 | henry Lee | 20 |
| nicolas hery | 050 | Edward Cottam | 20 |
| walter beane | 040 | william broughe | 20 |
| Jo: Ormsby | 020 | John hatch | 20 |
| Edward simson | 020 | | |
| daniel clocker | 020 | | |
| John Tomson | 20 | John rutlige | 08 |
| John medly | 20 | will. marshall | 8 |
| John robinson carp ^r | 20 | roger oliver | 8 |
| Rob ^t Tutty | 20 | John Langford carp: | 8 |
| John Cook | 20 | Jo: marlburgh | 8 |
| Ellis beach | 20 | Jo. warren | 8 |
| John Gyr | 20 | rob ^t dixon | 8 |
| william wright | 20 | John brisquett | 8 |
| richard banks | 20 | thomas thomas | 8 |
| rob ^t Sedgrave | 20 | arthur le hay | 8 |
| tho. franclin | 20 | henry bishop | 8 |
| Edward hall | 20 | Simon demibiel | 8 |
| thomas orly | 20 | walter Cottrell | 8 |
| Edward packer | 08 | John harwood | 8 |
| will. thomson | 08 | tho. hebden | 8 |
| will: Browne | 08 | franc Gray | 8 |
| rob ^t smith | 08 | Jo. harrinton | 8 |
| walter waterlin | 08 | thomas davis | 8 |
| John hull | 08 | | |

Assessed vpon the County of Kent

2000

vacat ista taxatio p aliam infra p. 66 viz vpon

| | | | |
|------------------------------|-----|----------------|----|
| m ^r Giles brent | 500 | francis brooks | 20 |
| Lieuten ^t vaughan | 050 | tho: butler | 20 |

| | | | | |
|-------------|---------------------------|-----|---------------------------|----|
| Liber P. R. | m ^r Luddington | 050 | tho. Games | 20 |
| | m ^r Thomson | 050 | william smith | 20 |
| | Jo. Abbott | 050 | william wildy | 20 |
| | Jo. gresham | 050 | william Lant | 20 |
| | nich: browne | 050 | thomas Stent | 20 |
| | Edmond perry | 050 | thomas Allen | 20 |
| | Jo. bennett | 050 | James Cloughton | 20 |
| | will: Cox | 050 | andrew basha | 20 |
| | Jo: Smith | 050 | rob ^t Lake | 20 |
| | John phillipps | 020 | william berry | 20 |
| | rob ^t short | 020 | derick geritson | 20 |
| | Edward thomson | 020 | devoreux godwin | 20 |
| | rob ^t Short | 020 | william risbrook | 20 |
| | philip Conner | 20 | thomas dyar | 20 |
| | Edward Comins | 20 | william porter | 20 |
| | ralph pettiman | 20 | walter weeks | 20 |
| | John marwood | 20 | John walker | 20 |
| | henry morgan | 20 | John peare | 20 |
| | rich: hobin | 20 | rich: purlivant | 20 |
| | John tomson | 20 | John Russell | 20 |
| | henry ffouch | 20 | rob ^t philpott | 20 |
| | william Jackson | 20 | giles basha | 20 |
| | richard pinner | 20 | george crouch | 20 |
| | Jo. palmer | 20 | thomas arnold | 20 |
| | tho: hales | 20 | william Naufome | 20 |
| | walter smith | 20 | roger baxter | 20 |
| | hoell morgan | 20 | franc rabnett | 20 |
| | thomas parker | 20 | John powell | 20 |
| | | | mathew rodan | 20 |

Leonard Calvert
Will: Blount
Jo: Langford.

[Commission to Brent and others.]

p. 66. 1642

december 16th Cecilius &c. To o^r trusty & beloved &c.
vt infra. greeting We relying much vpon yo^r prudent circumspection doe hereby appoint & authorise you the said Giles Brent to be Comander of o^r Ile & County of Kent, to be cheife Captaine in all matters of warfare by sea and land and as such to have & vse all power necessary or conducing to the resistance of the enemy or suppression of mutinies or insolencies as any cheife Captaine hath or may have and vse by the law of armes. And to be cheife Judge in all matters civill & criminall hapning within the said Iland not extending to life or member

or freehold. And we doe further hereby appoint & authorise you the said william Luddington, richard Thomson, & Robt vaughan gentt to be Commissioners within o' said Iland to all powers & effects as to Commissioners of a County by the Law of the province doe or shall belong. And we require all psons for the time being within the said Iland that immediately after the publishing hereof they doe acknowledge obey & respect you the said Giles Brent william Luddinton Rich. Thomson & Robt vaughan & every of you respectively in the quality of Comder & Commiss^{rs} as aforesaid, as they will answere the contrary hereof at their pill. Given at S^t maries &c.

Liber P. R.

An Assessm^t made by the Lieuten^t Gräll & Counsell for levying of 2000^t tob to the accompt of the last expedition by vertue of the Act in that behalfe, and of 400^t tob to the accompt of John Hollis and henry hooper, by vertue of an order of the house of Assembly, to be levied vpon the County of Kent, after the rates following viz

P. 66

| | | | |
|---------------------------|-------|---------------------------|----|
| m ^r Brent | 220 | John marwood | 22 |
| Leiut vaughan | 044 | nicolas browne | 22 |
| m ^r Luddington | 066 | roger baxter | 22 |
| m ^r Thomson | 176 | hoell morgan | 22 |
| m ^r Cox | 044 | thomas allen | 22 |
| Giles basha | 044 | John palmer | 22 |
| tho: philpott | 022 | John powell | 22 |
| walter smith | 022 | Edmond perry | 22 |
| tho. Stent | 022 | rob ^t Stent | 22 |
| will. wildy | 022 | will. Smith | 22 |
| will. Launt | 022 | ralph pettiman | 22 |
| william berry | 022 | John phillipps | 22 |
| derrick geritzon | 022 | rob ^t short | 22 |
| tho. dyar | 022 | franc brooks | 22 |
| rich. smith | 022 | Jo. Smith | 44 |
| rob ^t huett | 022 | henry bellamy | 22 |
| Ja. Clouton, & Amdr | } 088 | Jo. Abbott | 66 |
| basha | | John peare | 22 |
| tho: Keyne | 22 | Jo: gresham | 44 |
| franc rabnett | 22 | tho: arnold | 22 |
| william Naufome | 22 | tho. halves | 22 |
| william porter | 22 | John walker | 22 |
| rich. pinner | 22 | hughe fouche | 22 |
| devoreux godwin | 22 | rob ^t philpott | 22 |
| richard hobin | 22 | George Crouch | 22 |
| henry morgan | 22 | tho: Johnson | 22 |
| tho. butler | 22 | tho. Games | 22 |
| Ja. Johnson | 22 | tho. bradnock | 22 |

| | | | | |
|-------------|-----------------|----|---------------|----|
| Liber P. R. | nic. polhamton | 22 | philip Conner | 22 |
| | John Russell | 22 | thomas tidd | 22 |
| | Edw. thomson | 22 | Edw. Comins | 22 |
| | will. risbrook | 22 | John hill | 22 |
| | Jo. metcalfe | 22 | mathew rodan | 22 |
| | Jo. bennett | 44 | walter weeks | 22 |
| | will. Jackson | 22 | tho. parker | 22 |
| | rich. purlivant | 22 | | |

signed,

L. Calvert
John Lewger
Jo: Langford.

p. 68 8th A Commission to nicolas Cossin & company to pursue & take any runawayes & bring them afore Gov^r & to vse all necessary force for taking them in case any of them resist.

p. 71 Proclamaōn. Eod: whereas I am determined by all possible care & diligence to provide that the colony be putt in safety, not only from all danger of the Indians, but from feare of any I have thought fitt to publish & declare hereby, that I intend instantly to dispatch messengers to the neighboring Indians, to forewarne them of coming among or neare the English, till further order be taken therin; & to charge them not to come on this side the neck betweene the back river of Patuxent and the maine river towards nicolas herveye's, neither by land or water, vpon perill of their life that shall adventure further, or without the said bounds, either by land or water, and if there shalbe any occasion of message or treaty wth me, to send wth the messenger or messengers a flagg or fane of white fustian wth his Lo^{ps} armes in wax ensealed thereon, to be visibly carried or borne by such messengers or an English man in their company. Therefore I doe hereby authorise all or any the English of this colony to shoote or kell any Indian or Indians in any the parts about patuxent river that shalbe seene or mett either vpon the land or water, without the said bound after sixe daies after the date hereof: except such Indian or Indians or some of them as have or beare visibly such white flag or fane aforesaid or with an Englishman in their company, or shall without resistance yeild themselves to the English vpon demand And vpon the coming of any such Indian messengers; to bring him or them to me without delay.

Given at S^t maries 17. January.

By the Leiuten^t Gräll.

p. 72

20. whereas I vnderstand of divers iealousies & feares abroad in the colony, touching the Indians and the expectation of a

great charge & hindrance this yeare, either in making a march vpon them, or in guarding against them, to the disanimation of the people, and foreslowing of their vsuall diligence & alacrity in proceeding in their labours for the next cropp. ffor remedie wherof, & to lett them see what consideration is had of their safety, & of easing them of all things that may be of burthen or hindrance to them, I have thought fitt to publish & declare hereby that all possible diligence is & shalbe vsed to furnish the country with ammunition, & that the charge of whatsoever expeditions vpon the Indians or out-guards for securing of the frontiers, to the end the planters may attend their labours in as great security as ever heretofore, shalbe vndertaken & defrayed, by his Lo^p & such other p^{rs}ons as shalbe able or willing to contribute therevnto, without putting the country to any further charge or trouble then the p^{rs}ons of the souldiers to make the march, or the outguards withall, and that the march shalbe so laid (if any be) as that it shalbe no hindrance considerable, to their crop that shall goe vpon it. In the meane time all men are required hereby to take care of having their guns fixed, & all other things ready, vpon any sodaine warning to make a march, or otherwise be disposed of for the service & safety of the country.

Commission. Cecilius &c. to o^r trusty Rob^t vaughan, and Richard Thomson gentt Commiss^{rs} of o^r Ile and County of Kent, greeting, we doe hereby authorise you or any one of you (in cause wherein the other is a partie) to hold one County Court at such time & place within yo^r said County as you shall think fitt, and the same Court to continue (if there shalbe cause for 2. daies; and in the said Court to heare & determine all matters & causes whatsoever, in the same manner & withall the same power as if the Comander of the County were p^{rs}onally present, or as if it were an ordinary Court day appointed by the Law. Given at St Maries this 20th January 1642. Witnesse o^r deare brother

1642

January

Commission Grall to

Cecilius Lord &c. to our trusty

Capt. Cornwall: Thomas Cornwaleys Esq, greeting, We relying much vpon your knowen prudence & experience in martiall affaires, have made choice of you, and doe hereby appoint and authorise you to have and vse all necessary & sufficient power for the levying and mustering of souldiers within this Province, and for the making with them an expedition vpon any the declared enemies of the Province, or

Liber P. R. any their aiders or confederates, and doing, appointing, providing managing & commanding the said expedition, & all persons & things therevnto belonging, and all power & authority to have, vse, & exercise, for, in, and during the said expedition, as amply & fully to all effects & constructions, as any Captaine Generall of an army may have, vse, or exercise by the Law of warre. Given at St maries this 23th January 1642. witnesse o^r deare &c.

Proclamation touching
the march &c.

By the Leiu^t Gräll.

whereas I vnderstand of diuers iealousies and feares abroad in the colony touching the Indians, and the expectation of a great charge & hindrance this yeare either in making a march vpon them, or in guard against them, to the disanimation of the people, and foreslowing their vsuall diligence & alacrity in proceeding in their labours for the next cropp, ffor remedie wherof and to assure them of what consideration is had of their safeties & ease, I thought fitt to publish & declare hereby that all possible diligence is & shalbe vsed for the furnishing the country with ammunitiō, and that (as soone as conveniently may be) there shalbe an expedition sett forth against the Indian enemies of this Province, at the sole charge of his Lo^p (excepting the p^{rs}ons of the souldiers to make the expedition withall, for whose service only the country shalbe charged) and that Capt. Cornwaleys Esq is appointed & hath vndertaken to goe as Generall of the said expedition, to whom I have given all purchase that shalbe made vpon the enemy during the said expedition, to be by him disposed of for the encouragem^t of voluntiers, that will sett themselves forth & serve at their owne charge, and for the reward of his souldiers as he shall find them to deserve. And further for the greater encouragem^t and releife of those that shall goe vpon this service, I will vse all circumspection that may be that the said expedition shalbe so made, and (by God's helpe) performed, that it shalbe no considerable hindrance to any ones cropp: and that the debts of those whose p^{nt} abilities will not reach to the satisfying of their cred^{rs}, without greivous pressure and disabling them for their necessary subsistence for the future, I will vse meanes with their Cred^{rs} (if they be inhabitants of this Prov:) to forbear vntill the next yeare, w^{ch} I have already assurance of from some of the cheifest. Given at St maries 23. Jan:

By the Lieuten^t Generall.

Proclamāōn touching
Indians

whereas by a late proclamation dated the 17th of this instant month, the English were authorised to kill any Indians in any

the parts about Pautuxent river, that should be mett either vpon the land or water on this side the neck betweene the back river of Pautuxent and the maine river towards nicolas herveyes with certaine exceptions therin mentioned, now I doe hereby vpon some reason & Accidents since hapning vtterly repeal & reverse the said proclamāon, and straitly prohibite vpon paine of death that that no English within the County of S^t maries or any other pt of the Prov: doe kill or shoot any Indian whatsoever (other then such as he shall know to be sesquihanowes or wicomeses) vnles first assaulted or putt in bodily feare of his life by the Indian And whereas by one other pclamāon dated the 13th Sept: last the Nantacoque Indians were declared to be enemies of the Province, I revoke likewise hereby the said declaration, and doe publish & declare that there is a treaty of peace betwixt me and them, and a truce of 6. weeks agreed vpon for the finishing of the treaty, and herevpon have taken them into his Lo^{ps} peace for the time aforesaid. But for the better securing of all the English inhabitants of this Province from all harme that may happen vnto them throughe the treachery & falsehood of any Indians I doe straitly forbid all the said English to enterteine or harbour in their houses any Indians whatsoever without speciall licence or appointm^t from me, & vpon any Indians refusall to depart vpon necessary demand given, to expell them by violence, but not to the killing them vnles they shall assault the life of the English. Given at S^t maries this 26. of January 1642. Liber P. R.

March 1. whereas I am informed that some inhabitants of this colony are intended to goe over to the Easterne shore, in trading vpon presumption of a truce &c. to phibite all going over to any river of the Easterne shore without licence p. 82

By the Leiuten^t Gräll

p. 88

Eod: Whereas the Lord Proprietary is given to vnderstand that divers Adventurors into this Prov. have a long time forborne to take grants from his Lo^p of lands due to them by conditions of plantation, or speciall warrant contrary to the true intent & meaning of the said conditions, & warrants w^{ch} course must needs in processe of time make such adventurors rights & pretences to land very doubtfull; and his Lo^p thereby also receives great preiudice in his rents; It is his Lo^{ps} pleasure that all persons pretending any right vnto any lands within this Province by vertue of any former Conditions of plantation, or speciall warrant, shall within twelve monethes from & after the date hereof, come & make appeare vnto me their right so pre-

Liber P. R. tended, & take out grants of the same, vpon paine of being refused grants after the said time. And hereof I require all persons whom it shall concerne, to take notice of it at their perill.

p. 91 Whereas by a Proclamation bearing date at St Maries the 23. January last vpon certaine hopes then presumed vpon of meanes to goe a march vpon the Sesquihanowes I did declare to the colony that there should be an expedition sett forth at his Lo^{ps} charge, with other things therein contained; w^{ch} meanes being not yet found answerable to my hopes, I doe think fitt to advise further of the intended expedition; & therefore doe hereby annull & revoke the said pclamation, & the obligations therin vndertaken on his Lo^{ps} behalfe; & all powers & Commissions therin given touching or concerning the said expedition vntill I have further considered therevpon Given this 8. Aprill

p. 93 By the Leiuten^t Gräll.

Whereas I am determined to goe for England, I doe hereby publish & declare to all inhabitants of this Province, that I have noiaed appointed & elected m^r Giles Brent Esq to be Leiuten^t Gräll Chancell^r Admirall cheife Captaine Magistrate & Commander aswell by sea as by land, of this Province of maryland, & of the Ilands to the same belonging, in as large & ample manner as his Lo^p by his Commission vnder the great Seale bearing date at St maries the 4th day of September 1642. hath authorised me for the pñt, during my intended absence, vntill further order from his Lo^p therin. Given at St maries this 11th Aprill 1643.

p. 94 Cecilius by o^r Sovereaigne Lo: K. Charles, Lord Proprietary &c To all psons to whom these pñts shall come, greeting. Know ye that we for divers good causes vs therevnto specially moving, have exempted, & by these pñts doe exempt the psons of Nathaniel Pope and his meniall servants, being nine in number, from all watches & wardings, & from all attendance at musters & trainings, & from being called or commanded out of or from his house to or vpon any leavie march or partie without or ags^t his will or consent. And we doe hereby will & require all o^r Captaines Comanders & officers whatsoever, not to infringe or violate any the exemptions aforesaid at their perill. Given at St Maries this 11: Aprill 1643. Witnesse o^r deare brother &c.

[Oath of Deputy Lieutenant General.]

Liber P. R.

15. The Secretary administred the oath of Lieuten^t grāll to Giles Brent Esq, in these words. [you sweare that you wilbe true & faithfull to the right ho^{ble} Cecilius Lord & Proprietary of this Province of Maryland, and that you will defend & meinteine to the vttermost of yo^r power, all his iust rights interests royall iurisdiction and seigniory, in, to, and over the said Province, and the Ilands thervnto belonging, and you will faithfully serve him as his Lieuten^t of the said Province, & in all other offices committed to yo^r charge: you will doe æquall right & iustice to the poore & to the rich within the said Province, after yo^r cunning, witt, & power, according to the lawes of the said pvince, you shall delay or deny to no man right & iustice, you shall not know of any attempt ags^t his Lo^{ps} right and dominion in to and over the said Province & the people therin, but you shall resist & oppose it to the vtmost of yo^r power and make the same knowen wth convenient speed to his Lo^p and you shall in all things faithfully counsell & advise his Lo^p according to yo^r heart & conscience. So helpe you God &c.]

Eod: James Neale had the oath of a Counsell^r of State, administred to him by the said Giles Brent, according to the forme of a Bill drawn vp in Assembly 15. March 1638. Entitled [An Act for severall oathes &c.]

[Appointment of Councillors.]

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1643

Aprill 15. Cecilius Lord & Propr[iet^r of the] Provinces of Maryland and Avalon in the parts of America, Lord Baron of Baltemore &c. To o^r deare brother Leonard Calvert Esq o^r Lieuten^t of o^r said Province of maryland, and to o^r trusty and welbeloved Colonell ffrancis Trafford Esq John Lewger Esq william Blount Esq Giles Brent Esq, John Langford Esq and James Neale Esq greeting. Know ye that we reposing especiall trust & confidence in yo^r wisdomes diligence & experience, have assigned & appointed you iointly & every of you severally to be of o^r Privie Counsell within o^r said Province of maryland &c. vt supra in Commission of Counsell; pag: 33. Given on the ffeast of the Annunciaōn of o^r B. Lady anno 1643

Cecilius &c. To o^r trusty Capt: Tho: Cornwaleys Esq, p. 95
vacatista Commissio greeting, we relying much vpon yo^r knowen
rudence & experience in martiall affaires, doe
hereby appoint & authorise you, to' make an expedition
ags^t the sesquihanowes or other Indians as have committed
or aided the late outrages vpon the English, at such time &

Liber P. R. in such manner, as you shall think fitt, & to take out of every County or hundred within the Province the third man able to beare armes, such as you shall think fitt, to goe vpon the said expedition & to require every or any County or hundred to furnish the said men for such expedition wth all necessaries according to the Law in that behalfe, & to have the said men so ready furnished at such randevous & at such time as you shall appoint; & the men so leavied, & all other voluntiers to command as Captaine, & with them a war
 p. 96 to make vpon the Indians aforesaid in such manner & with all such powers & authorities whatsoever for the doing commanding or appointing of any thing, toward, for, or in the said Expedition & concerning the same, over all psons or goods within the Province, or for the vanquishing or spoiling of the enemy, or any other thing touching the said warre, to have vse & exercise the same, in as ample manner power & effect to all intents and constructions, as may be had vsed or exercised in time of war by any Captaine Generall of an Army; by the law or vse of warre. And we require all Officers, Souldiers, & other psons whatsoever within o^r said Province to obey & respect you the said Tho. Cornwaleys in the nature & quality of Captaine Generall of the said Expedition, for & during the said Expedition, vpon paine of all such punishm^{ts} as by martiall Law may be inflicted. Given vnder o^r great Seale at S^t maries this 17th Aprill 1643. witnessse Giles Brent Esq o^r Leiut^t Grall of o^r said Province.

Eod m^r. Giles Brent appointed a Commission vnder the great Seale to be issued to Capt Cornwaleys to be Comander of the County of S^t Maries for all military affaires.

Giles Brent

To Leiut^t Thomas Baldrige of S^t michaels hundred.

These are to will & require you to reparaire to every house within your hundred & by the oath of the housekeeper or others whom you shall think fitt (w^{ch} I hereby give you authority to administer) to inquire what number of psons be in every house able to beare armes, what gonnes fixed or vnfixed, what swords, or other weapons, what quantity of powder & shott & of what sort of shott, and to take the depōon of every one in writing wth his or her hand or mark thervnto, & to return all such depositions vnto me or m^r Secretary without any delay. And this to doe forthwith after the receipt hereof And hereof not to faile by the duety you owe to the commands of me your Leiuten^t grall, & vpon pill of contempt.

Giles Brent

Cecilius &c. to o^r trusty Capt Tho: Cornwaleys Esq greeting, Liber P. R.
whereas we are informed of your propensenes to goe a march vpon the Sesquihanowes; and that severall voluntiers to a consederable number are willing & desirous to be ledd out by you vpon such a march, vpon certaine conditions treated & agreed betweene you & them, we approving very well of such your & their forwardnes for the vindication of the honor of God, & the x^{tian} & the English name vpon those barbarous & inhumane pagans, doe hereby authorise you to levie all such men as shalbe willing to goe vpon the said march, & to lead & conduct them ags^t the Sesquihanowe or Indian enemies of the province in such time & manner as you shall think fitt, & to doe all other things requisite for the training of the souldiers punishing of insolencies & other offences ags^t martiall enemies, vanquishing the enemies, and disposing of the spoiles, & all other things & matters whatsoever to the said expedition appteining, in all the same & as ample manner & power to all intents & purposes as any Captaine Generall of an Army may doe by the Law of warre.

m^r Brent Eod.

m^r Lewg^r It is ordered that vpkⁿ Powell, who prosecuted on behalfe of Capt henry fleet should take into his custody the psons of Morgan Jones, Randoll Herbert and teag-collett, & should carry them afore some Magistrate in virginia, there to answer to the allegāons of Capt henry fleet in point of service.

1643

P. 97

Aprill 18. m James Neale is hereby desired & authorised to take a view of all the severall armes & ammunition in every house within S^t Clements hundred, & to inquire by oath of all men within the hundred as he shall think fitt, what quantities of powder & shott is in each severall house, & to returne the number of psons in every house able to beare armes, & the number & quantity of gonnes fixed or vnfixed the store of powder & shott, & the sorts of the shott; and the number of swords. and this to doe with all the convenient speed he may, & to presse for the publique vse to the quantity of 10^l powder, where he sees it may be spared by this view

Giles Brent
John Lewger

the Leiut^t gräll & Counsell having taken into consideration the difficulties & almost impossibilities of making a march vpon the Indians at this p^{nt}, vpon debate of what is fit to be done

Liber P. R. for the safety of the colony in steed thereof, have thought fitt & appointed that there shalbe a company raised of ten choice shott wth boat pvisions ammunition armes & all things necessary to seat & fortifie vpon palmers Iland, vnder such command, & according to such Instruccōns & order as shalbe appointed by the Leiut^t gräll is intreated to agree wth the said souldiers touching their pay & all other conditions during their abiding there in garrison, & to take vp all things necessary for the arming or providing them, at the colonies charge. And these things are thought necessary to be provided for them. vix 30^l powder 100^l shott. 20 bb^{rels} corne. 1. wherry or shallop 2. iron potts. 1. pestle. swords. or halfe pikes. & necessary nailes to build them a house.

Giles Brent
John Lewger
James Neale.

24 Cecilius &c. to o^r trusty Tho. Cornwaleys Esq We relying much vpon yo^r knowledge & experience in martiall affaires doe hereby appoint & authorise you to have the charge & command of & in all matters of warfare by sea & by land within the County of S^t Maries; to have vse & exercise the same to the training & mustring levyng or pressing of souldiers, & the suppression of insolencies & mutinies, & the resistance & vanquishing of any enemy & in all other things as shall conduce in yo^r discretion to the safety of the people in as ample & large manner to all powers & effects as a Captaine gräll of an army may or ought to doe by the law of warre. wnesse Geles brent &c.

[Letter to the Governor of the New Netherlands.]

P. 99 Sir

Some servants being lately fledd out of this colony, into yours, as is supposed, we could not but promise o^r selves from you that iustice & faire correspondence betweene the two governments so neerly bordring & w^{ch} are shortly like to be nearer neighbors in delaware bay, as to hope that vpon the receiving of these o^r lrēs & the demand of the pties interessted you will remand to vs all such apprentice servants as are or shall run out of this govern^t in to yours; and will compell such other psons, as shall flie to you without a passe, being indebted or otherwise obnoxious to the iustice of this place, to make such satisfaction to the parties endamaged by their vnlawfull departure, vpon their complaint & prooffe therof as you shall find iustice to require. And you may promise yo^r selfe the like helpe & concurrence from this govern^t in that or any other

thing as shalbe in the power of it; And so we bid you heartily Liber P. R.
farewell & rest
To the ho^{le} the Governor of
the new netherlands.

[Ratification of Commission of Giles Brent.]

1643

p. 110
published
decemb 23 whereas my deare brother Leonard Calvert Esq,
vpon his departure out of the Province of mary-
land in Aprill 1643. did by vertue of a Commission from me
dated 18. novemb 1641. constitute Giles Brent Esq to be my
Lieuten^t Grall of my Province of maryland during the absence
of him the said Leonard Calvert out of the Province, or vntill
I or my heires should signify o^r pleasures to the contrary.
These are to signifie & declare that I doe well approve of my
said brothers act. therin, and in confidence of the fidelity &
discretion of him the said Giles Brent I doe hereby ratifie &
confirme the said Giles Brent to be my Lieuten^t Grall of the
said Province, & to exequite all other powers within the said
Province (except hereafter excepted) w^{ch} were granted to my
brother in the Commission above mentioned, during my said
brothers absence out of the said Province or vntill I or my
heires shall signifie mine or their pleasure to the contrary,
vnder mine or their hand & seale. Provided neverthesse &
I doe hereby declare that I will not that the said Giles Brent
shall assent in my name to any lawes hereafter to be enacted
in any Generall Assembly to be held within the said Province,
notwithstanding any thing contained in the Commission above
mentioned dated 18. novemb. 1641. or in any other Commission
whatsoever, without further authority to be hereafter obtained
for that purpose vnder mine or mine heires hand & seale. And
in case any Lawes have been assented vnto by him the said
Giles Brent in my name in any Generall Assembly w^{ch} hath
been held within the said Province since my said brothers de-
parture from thence (viz since the first of Aprill last 1643)
I doe hereby declare my disassent to all & every such law or
lawes w^{ch} have beene assented vnto or enacted within the said
Province in my name by the said Giles Brent And because
I intend by the grace of God to come in person my selfe into
the said Province at or before January next after the date
hereof, I thought fitt also for divers reasons to suspend the
granting of any more lands within that Province till my arrivall
there, when I shall take order to grant to every one their due
who have any iust right or claime from me of any lands within
that Province. And therefore I doe hereby also restraine &
revoke that power of granting of any lands in my name by him

Liber P. R. the said Giles Brent vnder my great Seale for the said Province: and doe hereby require him the said Giles Brent not to grant any accordingly without further order therein vnder mine or my heires hand & seale, any thing contained in the Commission above mentioned dated the 18. novemb 1641. or in any other commission whatsoever to the contrary in any wise notwithstanding. And whereas my said brother together wth my Secretary & Survayor grall there, did lately purchase (as I am informed) in my name & to my vse, the chappell of S^t Maries, and the other buildings & land belonging thervnto, for the discharge of the price wherof my said brother together wth my Secretary & Surveyor did (as I am informed) signe to three bills of exchange directed vnto me, all to one & the same effect for the paym^t of two hundred pounds sterling in England to Capt Tho: Cornwaleys or his assignes (whose name it seemes was thought fit to be vsed in that busines, althoughe the said purchase was not made from him) the w^{ch} bills by reason of some mistakes in that busines I have thought fitt not to accept, whervpon (as I vnderstand) one or more of them are protested according to the vsuall manner in such cases; And whereas also (as I am informed) two other bills of exchange signed by the said Capt Tho. Cornwaleys & directed to one m^r Thomas Gerard, & m^r Edward Harris, or to one or both of them, for the payment the one of thirty pounds sterling, & the other of ten pounds sterling to my said brother, w^{ch} bills are also (as I am informed) not accepted but protested also in the same manner as the other above mentioned; whervpon some directions may phaps respectively be sent thether to recover a satisfaction of all the said bills to the respective pretenders thervnto, together wth costs & damages: But because for divers reasons true & right iustice cannot be done therein without some advises & testimonies from hence, w^{ch} cannot yet be had; Therefor I thought fitt, & doe hereby restraine the power of the said Giles Brent or any other pson by authority derived from him, to grant processe, or take cognisance of any suit or complaint whatsoever concerning all or any of the afore said bills of exchange, or to give or pronounce any iudgm^t therein, any thing contained within the above mentioned or any other Commission to the contrary in any wise notwithstanding: but to suspend any proceedings therein till my arrivall there, when I shall not faile to doe vnto every pson æquall right & iustice therein.

p. 111 And doe therefore hereby require the said Giles Brent & all others whom it may concerne to obey my order herein, as they will answere the contrary at their vtmost perills. And I doe hereby require the said Giles Brent and my Secretary there, or one of them, to cause this my declaracōn with all convenient speed after their or either of their receipt hereof to be recorded

& published at the vsuall places of publishing orders within the said Province for the govern^t there. Given vnder my hand & seale the fourteenth day of July 1643. Liber P. R.

C: Baltemore.

To Giles Brent Esq my Lieuten^t
Gräll of my Prov: of Maryland, & to
my Secretary, & the rest of my Counsell
there, & to every of them.

Eod. Commission of Generall to Capt Cornwaleys to have & vse all necessary & sufficient power for the making of an expedition ags^t the sesquihanowes or any their aiders & confederates at such time & in such manner as you shall think fitt, & to levie souldiers & all other meanes neāry for the said expedition by way of presse according to the Law; & to have vse & exercise all power & authority for in & during the said expedition as amply & fully to all intents & construccōns as any Captaine gräll of an army may have vse or exercise by the Law or custome of warre. p. 105

Eod:

Commiss: Capt Cauther. Cecilius &c. To o^r trusty Capt:
Ja: Cauther &c. wheras the East: shore Indians not yet satisfaction for outrages &c. but ready newe ones if not p^rvented &c. authorise you wth such company as you may to goe out vpon said Ind: or aid: confeder: as shalbe found in any suspicious manner vpon any pt S. mar. neck vp to head Pautux. R. & them to expell or vanquish & putt to death, & their armes or goods to pillage, & therof to dispose at yo^r discretion; & to pursue them to East: Shore, or thether to goe to meet & p^rvent them if you may from coming out vpon Engl: & to pillage or destroy them or any other misch: doe vnto them by law war, vntill shall obtaine o^r peace. require all souldiers that shall goe out wth you obedient vnto you in all p^{ts} as vnto Capt: as shall befit according discipline martiall, at pills witnesse
G. B.

Eod. Edward Parker was sworne Sheriff of S^t Maries County, p. 107
forma qua Supr: p. 28. the Gov^r appointed a Commission of
Sheriffs office to be given him forma Eod qua supr vntill the
1st of Novemb next.

An Assessm^t of 4000^l^{nt} tob vpon the County of S^t Maries,
for the defraying of certaine charges for the necessary
defence of the province this last suramer ags^t the assault
of the sesquihanowes; made by the Leiut^t gräll & Counsell
(by vertue of the Act of last Assembly) vpon the
severall p^{rs}ons after the rates following; viz

| | | | | |
|-------------|---|-------------------|-------------------------------|----|
| Liber P. R. | m ^r Tho. Weston | 1000 ^l | Andrew Munro | 50 |
| | m ^{rs} frances White | 200 | Steven Sammon | 50 |
| | m ^r Tho. Greene | 100 | Jo. Medly | 50 |
| | m ^r Gill | 100 | tho: Petit | 50 |
| | m ^r Peter drap | 150 | Jo: Warren | 50 |
| | m ^r Jo. harrinton | 040 | Gererd fford | 35 |
| | p ^r estate of Rob ^t Glov ^r | | Jo. Guy | 35 |
| | deceased | 100 | Jo. tomson | 35 |
| | walt ^r beane | 100 | Jo. Rutlige | 35 |
| | rich: hervey | 100 | will. marshall | 35 |
| | will. durford | 100 | Jo. Nume | 35 |
| | Jo. Cook | 100 | rich: banks | 35 |
| | Jo. Langford | 100 | will: wright | 35 |
| | Jo: hatch | 100 | Jo. ormsby | 35 |
| | tho: bushell | 100 | tho. fursden | 35 |
| | will. broughe | 100 | will. thomson | 35 |
| | thomas thomas | 35 | Jo. marlburgh | 35 |
| | rob. kedger | 35 | rich. wellin | 35 |
| | m ^r whale | 35 | tho. Jackson | 35 |
| | will. harrinton | 35 | Jo. wortly | 35 |
| | barn. Jackson | 35 | Jo. mansell | 35 |
| | rich. Garnett sen ^r | 35 | rob. Edwards | 35 |
| | henry bishop | 35 | rob ^t dixon | 35 |
| | walt ^r Cottrell | 35 | Julian w th hebden | 35 |
| | francis van Eynde | 35 | will: Asiter | 35 |
| | Steven gray | 35 | Ellis beach | 35 |
| | charles Maynard | 35 | Giles Basha | 35 |
| | tho. todd | 35 | | |
| | tho: White | 35 | | |
| | francis Pope | 35 | | |

Giles Brent
John Lewger
James Neale

[Appointment of T. Gerard as Councillor.]

P. 154 To Giles Brent Esq my Leiuten^t
gräll of my pvince of Maryland./.
m^r Brent

whereas I have received good testimony from my brother Leonard Calvert of the good affection & fidelity of Thomas Gerard of St Clements hundred in the Province of Maryland gent toward me & my service in the said Province, and that he hath deserved very well of me in his diligent endeavors for the advancem^t & prosperity of my colony there, wherein he hath had occasion to expresse also more then ordinary abilities of

vnderstanding, such as may make him capable and vsefull in Liber P. R.
advising with vpon the most important affaires of that place. I
have therefore thought fitt (by my said brothers advise) and I
doe hereby nominate & appoint the said Thomas Gerard to be
one of my Counsell within the said Province. And I doe
hereby authorise will and require you forthwith vpon the
receipt hereof, to sweare the said Thomas Gerard one of my
Counsell there, according to the vsuall manner; and that he
have all such advantages priuiledges & preeminences allowed
vnto him as others of my Counsell there by vertue of that
dignity doe or of right ought to enioy ffor doing whereof this
shalbe yo^r warrant. Given vnder my hand & seale at armes
at Bristoll the 17th novemb 1643 C. Baltemore

To Giles Brent Esq my Lieuten^t
Generall of my p^rvince of Maryland./.

[Powers to Giles Brent.]

p. 153

locus + sigilli Mr Brent

whereas not long since when I did conceive that my brother
Leonard Calvert would have dispatched his affaires here so as
he might have returned into Maryland againe this yeare, I did
for divers reasons by a dispatch which I then sent vnto you
restraine yo^r power of assenting vnto any Lawes in my name,
& of granting any lands from me in that Province, I have now
vpon confidence of your integrity & fidelity to me thought fitt
& I doe hereby give you full power & authority to assent from
time to time in my name to any Law w^{ch} at any gr^{all} Assembly
of the ffreemen of that Province shalbe thought fitt by you to
be enacted there, in as ample maner as my said brother had
power from me to doe the same while he was Leiuten^t Generall
there & no otherwise that is to say, & my true meaning is
hereby to give you power to make every such law so to be
assented to by you in my name to be in force within the said
Province till I or my heires shall signifie our or their dissassent
therevnto vnder o^r or their hands & seales or otherwise within
the said Province & no longer. And I doe also give you the
same power & authority during yo^r govern^t there vnder me, p. 154
or vntill I or my heires shall signifie our or their pleasure to
the contrary, to grant lands from time to time in my name
within the said Province vnder my great Seale there vnto any
Adventurors or planters there & vpon the same termes &
conditions as my said brother had power from me to doe at
the time of his transmitting & intrusting of the govern^t of that
Province vnto you for all w^{ch} this shalbe yo^r sufficient war-
rant. Given vnder my hand & seale at armes at Bristoll the
eighteenth day of Novemb anno dñi 1643

C. Baltemore.

[Commission to Brent and others.]

Liber P. R. locus + sigilli.

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Cecilius &c. To all &c. Know ye that whereas heretofore I have made severall authorities & directed one or more Commissions to severall psons in Maryland for the well ordering & disposall from time to time of my stock or stocks of neate & other cattell, & of all other my goods & chattells there, & also of all rents fines confiscaōns or escheats, tribute or other gifts from the Indians, customes or Subsidies granted to me by any grall Assembly, & all other pfts & emoluments belonging to me within the said Prov. of Maryland; & for the better managing cleering letting such farme or farmes Mannor or Mannors or other lands sett out & designed there for my pticular vse, according to such directions & instruccōns as I should from time to time send thether for the purposes above mentioned, And whereas some of the aforesaid psons are since deputed out of the said Prov., whereby I may receive much preiudice in the neglect of that service; wherefore I have thought fitt out of the confidence I have of the integrity fidelity & good affection towards me of my trusty & welbeloved Giles Brent Esq my Leiuten' gen: of the said Prov. of maryl: John Lewger Esq my Secretary, James Neale and Thomas Gerard Esqes all of my Counsell there, and william brainthwait gent, to constitute, and I doe hereby constitute ordeine & appoint them the said Giles Brent John Lewger James Neale Thomas Gerard and william Brainthwait to be Commiss^{rs} for my Treāry within the said Prov: And I doe hereby authorise them or any two of them (whereof the said Giles Brent to be alwaies one) to take care of, receive, & dispose from time to time of all & every such things as are above mentioned belonging to me within the said Prov: to my best advantage according to such directions & instruccōns as the said Commiss^{rs} shall from time to time receive from me, & in default therof, according to their best discretions. And to appoint from time to time, change, alter, or remove any such officers to receive my rents & other profits above mentioned there, as also to look to my stock of neat cattell; & for the better exequution of all other the said p^rmises, & to allow such salary & wages to be paid to them out of the profits above mentioned or sale yearly of some of my said neat cattell, as they or any two of them (wherof the said G. B. to be alwaies one) shall from time to time think fitt. And I doe hereby ratifie & confirme what the said Commiss^{rs} or any two of them (wherof the said G. B. to be one) shall from time to time lawfully doe in any of the premises as much as if I my selfe had beene pnt & had done the same, willing & requiring the said Commiss^{rs} & every of them that they or two of them at the

least (wherof the said G. B. to be one) doe send vnto me a iust Liber P. R. and true accompt yearly of all such things above mentioned as are or shall from time to time become due vnto me within the said Prov: & of their pceedings in the same signed wth their hands. And I doe hereby revoke all former authorities or Commissions w^{ch} I have heretofore made or sent thether concerning the premises or any part therof so far forth as they or any of them doe concerne the premises only or any part therof & no further: declaring hereby that I shall not make good any contract or bargain for the future concerning any of the premises there, but what shalbe agreed vnto by my said Commiss^{rs} or two of them at least (wherof the said G. B. to be alwaies one) which Revocation I doe require the said Commiss^{rs} to notifie vnto the English inhabitants of the said Province by causing this pnt writing to be published in the most vsuall places of publishing things of the like nature within the said Province, In witnes wherof I have herevnto sett my hand & seale at armes. At Bristoll in the Realme of England the 18th day of novemb anno dñi 1643.

C: Baltemore.

1644

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Instruccōns given by me Cecilius Lord Baltemore to my Commiss^{rs} for my Treāry in maryland, dated the 18th day of novemb 1643.

1. vpon the receipt of these Instruccōns I would have them cause a true Inventory to be made as soone as conveniently may be of all my cattell, w^{ch} I would have from time to time marked duely wth my marke, and of all other goods & chattells whatsoever belonging to me within the said Prov. of maryland, specifying therein in whose hands & in what places they are: And likewise a true Rentall of all such rents as are payable vnto me there. In both w^{ch} I require my Secretary there to direct them. And that the Comm^{rs} cause true copies of the said Inventory and Rentall to be sent (by the first opportunity) to me signed with two of their hands at least (wherof the said G. B. to be one.

2. That they continue those goods of mine w^{ch} were (by my directions) formerly putt into m^r Gilmetts custody, still in his hands as long as he staies in Maryland, or I give other directions concerning them. But I would have the Commiss^{rs} to demand & keepe a note vnder m^r Gilmetts hand of the pticulars therof, acknowledging them to be in his custody

3. That all my carpenters & other apprentice servants there be sold forthwith for my best advantage, w^{ch} I vnderstand will yeild at least 2000^{w^t} tob apiece althoughe they have but one yeare to serve, especially if they be carpenters. for I vnder-

Liber P. R. stand that 1500^{wt} of tob is an vsuall rate for the hire of one yeares labour of any ordinary servant. And I conceive it better to hire at a certainty such servants from yeare to yeare as my Commiss^{rs} shall find necessary to looke to my cattell, provide sufficient fodder for them, & to manage my farme at west S^t maries; & to pay their hire yearly out of such revenues & profitts as shall become due to me there, or in default therof by the yearly sale of some of my stock there, then to have servants apprentices there for that purpose, & to send supplies yearly out of England to them.

4. That they allow vnto m^r Giles Brent two steeres yearly out of my stock of neat cattell for his owne expence in regard of his care of them; and two steeres to m^r Gilmet yearly for his expence; and two more, together wth twenty barrells of corne yearly (to be taken out of my quitt rents there) and the vse of six milch kine to my Secretary there for his care & paines in writing of the accompts yearly & in my other affaires there: till I shall signify my pleasure to the contrary, my said Secretary being at the charge of keeping of the said six kine, & of rearing the calves that come of them till they be weanable, and then to deliver the said calves at my ferme at west S^t maries to be putt into my other stock of neat cattell Provided alwaies that the said Secretary make such provision of fodder & housing for the said cowes & calves in his custody for the winter as my said Commiss^{rs} shall find necessary for them.

5. That they allow vnto my Leiuten^t Gräll m^r Giles Brent for his paines & care in the govern^t there, the one halfe yearly of all fines, confiscations, wrecks, Tribute from the Indians, Customs or other gifts from the Generall Assemblies there, w^{ch} shall grow due vnto me during the time of his govern^t vnder me there. But I would have all such things as are mentioned in this article, to be intirely charged vpon their yearly accompts to me, & the one halfe therof discharged againe vpon the said acc^{ts} as being disposed of according to this my direction.

6. That they take care to cause such tobaccos to be satisfied to my brother Leonard Calvert or his assignes as he or his assignes shall have disbursed or ingaged themselves for my vse there this last yeare, w^{ch} in case it cannot be otherwise, I would have done by sale of some of my neat cattell. But I would have them know that I doe extreemely desire to have my stock of neat cattell & sheepe to be preserved as much as
 p. 161 possibly may be, & that they should not be any way diminished, but when necessity doth absolutely require it. And I would have the Commiss^{rs} to be very carefull that when there is a necessity of selling of any of my neat cattell, that it may be done with the least prejudice that possibly may be to the

encrease & good of my said stock for in so doing they will doe me a very acceptable service, w^{ch} I shall acknowledge to them in due time. Liber P. R.

7. That they vse their best endeavors to discharge the bargain w^{ch} was made this yeare for m^r Cplies house at S^t maries by letting him have his house & land there againe & a reasonable considerāon allowed vnto him for m^r Gilmetts time of being in it. w^{ch} I would have discharged out of somewhat of mine there: And I desire that in case m^r Cply will not be contented to lett the house to m^r Gilmett till midsom^r w^{ch} shalbe anno dñi 1645 at some such reasonable rent as my said Commiss^{rs} or any two of them (wherof the said m^r G. B. to be one) shall think fitt; and that m^r Gilmetts and his families diett cannot be provided & discharged out of my stock and ferme at west S^t maries without any notable preiudice to the said stock, or out of some other profitts belonging to me there (both w^{ch} I should be very gladd that my said Comm^{rs} could effect for me, and I would willingly allow any reasonable rent to be paid out of my estate there to m^r Copley for the said house for so long time, but not to be charged to pay any thing there for it) then I desire my said Comm^{rs} in that case to take care that some other convenient place there be provided for m^r Gilmetts, & m^r Teeritts residence & diett there to their contentm^t till the time above mentioned wth the best accommodation for them & least charge to me that may be. And I would have them so contrive this busines (if possibly they can) that m^r Gilmett & m^r Terrett may by all meanes be continued in that Province till that time: when I doubt not (by the grace of God) to be able to provide better for them then by reason of the extremity of the present troubles in England I could doe this yeare w^{ch} I hope they will consider & have a litle patience till then, And this article I doe againe & againe recommend to my said Commiss^{rs} care to give me satisfaction herein.

8. That these Instruccōns be read to all the said Commiss^{rs} in due time & place to the end they may respectively take notice of them. Given vnder my hand at Bristoll 18. novem: 1643.

C: Baltemore

a license granted to an Indian called Peter to carry a gonne p. 113
for the vse of John Lewger.

a license granted to an Indian called Capt Browns to carry
a gonne for the vse of James Neale Esq &c.

Liber P. R.
p. 113

By the Lieuten^t Gräll

Proclamaōn; gonnes

to Indians. Whereas I am informed by a great complaint of divers, of the great number of gonnes, now in the hands & vse of Indians, in & about this colony, w^{ch} is a disorder tending to very ill consēnce if it be not in time restrained & reduced to some good order. I doe therefore hereby in the Lo: Propr name straitly phibite all psons within this colony of S^t Maries to lend or deliver vpon any pretence whatsoever, any gonne powder or shott to any Indian without a licence first had & obtained from me to that purpose, vpon paine of such fine & other censure according to the quality of the pson as the contempt shall deserve. And I doe hereby require the sheriff of S^t Maries to warne 12 ffreemen of this County to be at the Court on the first of ffbruary next to enquire of & present the names of all such as they shall know or heare of to offend ags^t this phibition

Given at S^t maries this 2^d January 1643.

p. 114 Procl: export tobacc

By the Lieuten^t Gräll.

Whereas by reason of the vnseasonablenes of this last past yeare, small quantities of tob have been made within this colony, whereby the ships bound hether out of England for supply of the colony are like to want of their home-fraitt ffor pvision for their benefitt in that point in as far as the tobaccos of this colonies growth will amount I have thought fitt & doe hereby phibite all export of tob out of this Prov: after the publicaōn hereof in the severall Counties respectively, by or vpon any other vessell or vessells whatsoever other then ship or ships coming from England, vntill the said ship or ships be fully fraited. And for better caution for due observance hereof I doe hereby phibite any pson to lay or take aboard any tob vnder any p^rtence whatsoever on any vessell (other then such ship or ships as aforesaid, or such as shall belong to some inhabitant of the country) till he or they have putt in security not to offend to the contrary hereof. And hereof I require in his L^{ps} name all psons to take notice whom it may concerne, vpon paine of contempt. Given at S^t Maries this 8. January 1643

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Cur. Provinc; apud S. John 3^o febr 1643.

3 The Secretary read in Court the 17. article of his Lo^{ps} Instruccōns vnder his hand & seale; bearing date at London 20th october 1642 in hec verba

[And in case the number of the said Counsellors either by death absence or otherwise shall at any time happen to be reduced to lesse then three (besides the said Lieut^t) his Lo^p doth in that case give power to his Lieut^t to supply the number by nominating one or two more such other able p^{rs}ons in the said p^{rs}vince to be of his Lo^{ps} Counsell and Conservator of the peace there, as he the said Lieut^t shall think fitt, whom his Lo^p declares (after they have taken the oathes of fidelity & of Counsellors to his Lo^p (w^{ch} his Lo^p requireth & authoriseth his said Lieuten^t to administer vnto them) shalbe & have all the powers & preeminences of Counsellors and Conservators of the Peace within that Province, till vpon notice given therof given therof to his Lo^p his pleasure be further knowen therein. Liber P. R.

By vertue wherof the Lieut^t Generall nominated Thomas Gerard gent to be of his Lo^{ps} Counsell & Conservator of the peace within the Province, who took the oath of fidelity in these words.

I doe faithfully & truly acknowledge the right ho^r Cecilius Lo. baltemore to be true & absolute Lo: & Propriet^r of the Prov. & country of maryland & the Ilands thervnto belonging and I doe sweare that I will beare faith vnto his Lo^p & his heires Lords & Proprietors of the said Prov: & will yeild willing & true obedience to his Lo^p & his said heires & to his & their governm^t in temporall affaires in & over the said Prov: & Ilands thervnto belonging as to the true & absolute Lords & Proprietors of the said Province & the Ilands thervnto belonging. And I p. 132
doe also sweare that I will at all times as occasion shall require to the vtmost of my power defend & meinteine all such his Lo^{ps} & his heires right interest priviledges royall iurisdiction prerogatives and dominion over & in the said Prov: of maryl: & Ilands thervnto belonging & over the people who are or shalbe therein for the time being, as are granted or mentioned to be granted to his Lo^p & his said heires by the king or crowne of Engl: in his Lo^{ps} Pattent of the said Province vnder the great seale of that kingdome. And I doe further sweare that I will not either by my selfe or by any other p^{rs}on or p^{rs}ons directly or indirectly take accept receive purchase or possesse to any other vse or vses whatsoever then only to the vse of the said Lord & Proprieto^r and his heires & assignes any lands tenem^{ts} or hereditaments in the said Prov. of maryl. or the Ilands thervnto belonging from any Indian or Indians or any other p^{rs}on or p^{rs}ons not deriving a title thervnto from or vnder some grant from the said Lord & Proprieto^r or his heires vnder his or their great seale of the said Prov. for the time being. So helpe me God.

And then he took the oath of a Counsellor in these words.

I doe sweare that whilst I am Counsellor of this Province,

Liber P. R. the peace & welfare of the people I will ever procure as far as I may, I will aid & assist the administring & exequution of iustice in all things to my power I will to my best skill give good & faithfull Counsell to the Lord Proprietary of this Province & to his Leiuten^t Grall for the time being when thervnto I shalbe called, & I will keepe secrett all such matters as are delivered me as secretts, as becomes a Counsellor to doe; I will administer equall iustice to all psons according to the Lawes of the Province to the best of my skill & power, when I shall exercise any act of iudicature, & I will delay nor deny to no man right or iustice, when it shall belong to me to doe it. So helpe me God.

p. 107 7. febr: 1643

Levie the sommes assessed supra, vpon any the lands goods & chattells of the persons assessed, & deliver the same vnto the Lieu^t Gener: & levie the fees of exequutin vpon all such as shall refuse or delay after demand to pay the said assessm^t. And this shalbe yo^r warrant.

J. L.

To E. P. sheriff.

p. 151 † vid. file Vpon † the petition of divers inhabitants in behalfe of John dandy & delivered by him, the Leiut^t Gener exchanged his sentence of death into service for 7. yeares to his Lo^p & to remaine exequutioner of all corporall corrections according to the writts lawfully directed to him;

Commission of Capt of S^t Maries County

Cecilius &c. To william Brainthwait gent. committ vnto you the Captainship & comand of S^t maries County in all military matters, to have vse & exercise the same by land or water to the levyng & training of souldiers, suppressing & punishing of insolencies & mutinies ags^t martiall discipline, the resistance & vanquishing of enemies & in all other occasions of war in as ample maner as a Captaine may & ought to doe by the Law of warre. And we doe require all inhabitants to obey & respect &c. Given 19th march 1643.

p. 157 I doe hereby authorise the inhabitants vpon Pautuxent river (being they are so far from other plantaōns & so weakly peopled & continually exposed thereby to danger & outrage from the Indian aswell frend, as enemies by whom they received an assault to their very neare cutting off one of their plantaōns the last yeare, besides the eminent losses they have otherwise received) that vpon approach of any Indian whatso-

ever vnto them in the woods their plantaōns or houses they may (after having bide the said Indians depart & declared that if they doe not depart they will shoot them, (in case the said Indians depart not instantly) shoot them whatsoever Indians they are, w^{ch} bidding them depart I doe enioine the said inhabitants vnto in case the Indians shalbe of o^r frends vntill the 25th of May next; In w^{ch} time all the said Indian frends shall have notice not to approach the said plantaōns. And after the said 25th of may I doe licence the said inhabitants to shoot & kill any Indians coming about their woods plantaōns or dwellings without the foresaid warning given them. witnes my hand.

Liber P. R.

Giles Brent

The same authority I doe give them against any Indians vpon the water betweene the back river of Patuxent & the mouth of Patuxent river.

10 By vertue of the Commission to vs directed in that behalfe from his Lo^p we doe hereby appoint Capt. will. brainthw^t &c. to be Collector & Receivor of all his Lo^{ps} rent Corne within the County of S^t Maries, & vpon Receipt therof to give acquittance in his Lo^{ps} name

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Giles Brent
John Lewger

By vertue of his Lo^{ps} Commission &c. we doe hereby appoint Edward Parker sheriff to be Collector & Receivor of all his Lo^{ps} Rents (Rent-Corne excepted) revenues, ffines, fforfeitures, & all other profit, & pquisits whatsoever; & vpon receipt to give acquittance & discharge in his Lo^{ps} name & to have & receive for his paines the tenth part in kind or value of all such Receipts, for his paines and salary.

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Giles Brent
John Lewger
Will. Brainthwait

[Letter of Protection to Indians.]

1644

June 8. Cecilius &c. to all o^r Counsell^{rs} Justices, Comders & officers, & to all inhabitants County S. Maries &c. we doe hereby notifie, publish & declare vnto you that the bearer hereof Peter mimascave, alias Nicoatucen, an Indian of Patuxen & all other Indians of that towne & nation are within o^r ptection peace & amity, & to be treated & vsed wth all humanity as o^r frends & confederates vntill they shall give

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Liber P. R. cause to the contrary. And therefore we doe hereby require all & every of you vpon the vtmost pill that by Law may be inflicted vpon the transgressors hereof, that you committ not any hostile act or outrage vpon him the said Peter or any other of his towne & nation, vnles it be such as shall putt you in feare of yo^r lives by repairing to any of yo^r houses & plantations, in numbers, lurking, or other suspicious manner, without shewing or holding forth this or some other Instr^{mt} or Passe vnder o^r great Seale, but that you suffer him & them quietly to passe & repasse to or from the houses of o^r Leiut^t Generall & Counsell or any of them according to the full entent & effect of this o^r safe conduct Given 8th June 1644 witnesse Giles Brent &c.

[Commission to Henry Fleete.]

p. 168 Cecilius &c. to Capt Henry fleete gent greeting. Whereas by certaine Intelligence from Pascatoway, I vnderstand that there are some number of o^r enemies the Sesquihanowes expected about this time at Pascatoway, vnder colour to treat & conclude a peace wth them & vs, but perhaps to confederate & vnite all the Indians of these pts in some generall league or plott for the cutting off of the English: in maryland, as they have most savagely attempted in virginea And because it concerns much the honor & safety of the colony to have some English there to be present at the treaty & other proceedings to direct & overrule it if need be to countenance & strengthe o^r frends that yet remaine, & terrifie the others, & to proceed wth the Sesquihanow-Agents either in hostility or truce as there shalbe most cause & reason for either; I relying much vpon yo^r skill in the Indian language, & long conversat^{on} & experience in the Indian affaires & yo^r prudence, & provident circumspection otherwise; have made choice of you, & doe hereby will & require you, all delays & excuses sett apart, to take vp wth you a convenient strength of English well armed & pvided, to the number of twenty at the lest, & with them to repair to Pascatoway, & there to proceed with the Indians both frends & enemies, according to such Instrucc^{ons} as shalbe delivered to you by my Secretary, bearing date herewith. And (during your said voyage) to lead, order & comand in cheife all the said company as shall goe along with you, by your selfe, or officers by you to be appointed, in all points, & to all effects, yea even to the inflicting of death (if necessity shall so require) vpon mutinous or disobedient persons, as a Captaine Generall may doe by the discipline or law Martiall. And I doe hereby require all Inhabitants & other psons of our said Province & specially the company as shall goe along wth you, to

respect, aid, & obey you (as there shalbe occasion) in the Liber P. R.
quality of such cheife Captaine & Comander as aforesaid,
vpon perill of the vtmost penalties as by martiall law may be
inflicted: Given at S^t Maries this 18th June 1644 witnesse
Giles Brent Esq &c.

- Instructions to Capt Henry ffleete, to w^{ch} his Commission
bearing date herewith, relates.

1. you are to goe vp wth yo^r company to pascatoway, and
there to consider by the best meanes you may, what hope there
is of a reall & firme peace or truce wth the Sesquihanowes &
whether it wilbe more to the honor, safety, or advantage of the
English, to have war or truce wth them at this present.

2 If you find the most & best reasons to perswade to peace,
you may enter into treaty of peace wth them, & vndertake to
them in our name a truce or cessaõn of all acts of hostility on
our part vntill such time as you shall agree vpon for expectance
of pformance of conditions on their part, & of the Govern^{rs}
assent to a peace: & give such hostage or hostages in exchange,
as shalbe willing to goe wth them, (if you shall find it convenient)

1644

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June 18. 3. The conditions to be demanded & stood vpon by
you (so much & so long as you shall think fitt) for this Ces-
sation, are to be

1. for hostage, or such other security as you shall
think best, that they shall not doe any act of hostility
vpon vs or our confederates (such as you shall think fitt
to include, wherein the Patowmecks not to be forgotten)
nor shall come within the territories of vs or o^r confede-
rates (according to such bounds as you shall agree vpon)
during this Cessaõn vnles it be 2. or 3. messengers
repairing hether for publique treaty, & carrying the safe-
Conduct vnder his Lo^{ps} Seale, w^{ch} you may deliver to
them to that end.

2. for satisfaction for their plundrings of m^r Angud,
& of Mattapanian house twice wherein especially to re-
quire a returne of all the armes taken at those times, or
of other to that number.

3. for restoring as much as you can gett of the armes
& other goods lost or left in our last march vpon them,
at least the two feild peices.

4. for some present to the Govern^r or any other con-
ditions as you shall think fitt for the honor safety or
advantage of the colony or our confederates, & namely
the virgineans.

Liber P. R.

4 The better to endeare our peace to them, you may insinuate to them how the hostages of both sides will quickly become Interpreters betweene vs & them & then or men wilbe willing to come & live among them, & to aid them ags^t their enemies, as now we doe the pascatowayes &c.

5 If you shall not think best to treat or truce wth them you are to vse all lawfull & discreet meanes you can to pillage, or take them, or (if it shall seeme best to kill them; and to break off all league & treaty betweene them & our confederates; and to terrifie our confederates & specially such as you shall note most bold & active that way from leaguings or treating with the common enemy afore or against our liking or consent, and the pascatowayes without the authority or consent of their queene residing here.

6 Lastly in all matters of importance, w^{ch} shall concerne the exequution of your Commission, or of these instruccōs, in matters left to your discretion, you are to advise with Thomas Gerard, & James Neale Esquires & Counsell^{rs} of the Province Thomas Greene & Cutbert ffenwick gent Thomas baldridge, Nathaniel Pope & John Price planters, or two of them; wherof the said Thomas Gerard to be one, & the said James Neale to be another; if they or either of them be there to be advised with.

signed. John Lewger

18. June 1644.

[Passport to Indians.]

P. 170 1644

June 18. Cecilius &c. to all inhabitants of Province &c. I doe hereby signifie & declare vnto you, that I have promised & vndertaken to the Indian bearer or bearers hereof of the sesquisahanow nation, not exceeding 3. in number, & repair in good manner from the Sesquisahanow ffort to my Leiuten^t Gräll, or some of my Counsell at Kent, or S^t maries vpon any publique treaty message safe & free passage too & fro through my province without any harme or molestation of any the English, And therefore I require all & every of you vpon sight hereof not to doe any thing to the violating of the said publique faith given vnto them vpon the vtmost pill of such punishm^t as by martiall law may be inflicted vpon the contemn^{rs} or violaters hereof Given at S^t maries this 18. June 1644. witnesse Giles Brent &c

[Commission to W. Brainthwait and others.]

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August 26th 1644

Cecilius Lord & Proprietary of Maryland to our trusty & welbeloved william Brainthwait Esq, Comander of our County

of S^t Maries, Thomas Greene gent & Cutbert ffenwick gent Liber P. R.
greeting. Relying vpon your discretion & integrity we doe
hereby constitute & appoint you our Commissioners for our
County of S^t Maries to heare & determine all civill causes, &
likewise all criminall causes not extending to life or member
in o^r said County arising or pleadable by the Law of this Pro-
vince before the Comander & Commiss^{rs} of a County; grant-
ing vnto you hereby all requisite authority for the issuing of
processe or exequution according to the exigence of iustice
such as is allowed by the Law to be administered by the
Comander & Comm^{rs} of a County witnes o^r Lieuten^t Gräll
Giles Brent.

transmiss: in chartulă a Kent, eñ nullo sigillo.

[Suspension of Lewger.]

30. whereas John Lewger Esq once of his Lo^{ps} Counsell of
this Province of Maryland hath without any order or authority
derived from his Lo^p the Lo^p Proprietary or his Leiuten^t Gräll,
presumed of his owne hand to counterfait & deliver vnto Capt
Henry ffleet a Commission for treating a peace wth the
enemies of this Province the Sesquisahanocks, & likewise for
the making of the said ffleete a Captaine or Generall to make
war ags^t them or other Indians, & to exercise authorities over
his company inhabitants of this Province, and to doe other acts
according to the tenor of the said Commission vnto which said p. 174
Commission he hath likewise presumed to affix & counterfeit
his Lo^{ps} great Seale & his Leiutenants hand, which acts being
of highe misdemeanor & offence, & such as requires severe
animadversion, These are therefore to suspend the said John
Lewger from the said office & dignity of Counsell^r & from all
other offices & dignities therevpon depending. And I doe
further hereby revoke all other Commissions at any time
granted vnto him the said John Lewger by me (as his Lo^{ps}
Leiut^t Gräll for granting out writts or exercising any other
power of iudicature within this his Lo^{ps} Province.

Giles Brent

declard by the Leiut^t Gräll.
the 26th of August 1644.

1644

Septemb 6. Cecilius Lord & Propriet^r of the p^{ro}vinces p. 175
Commission for the } & countries of Maryland & Avalon in
govern^t } the p^{ar}ts of America Lord Baron of Balte-
more &c. To all & singular p^{er}sons to whom these p^{ar}ts shall
come, greeting. Know ye that we for divers speciall causes &
considera^{ti}ons vs therevnto moving have revoked & determined
& by these p^{ar}ts doe declare that we doe hereby revoke &

Liber P. R. absolutely determine all former Commissions heretofore granted vnto o^r deare brother Leon: Calv^t Esq or to Giles Brent Esq concerning the govern^t of o^r said pv. of maryl: & all pover & authority by vs thereby granted vnto him or them or to any other of o^r Councell, or to any other pson or psons whatsoever in & by the said Commissions or any of them: & also all pover heretofore given to o^r said brother or the sd Giles Brent by the said Commissions or any of them or otherwise of enacting or assenting vnto any lawes or ordinances in o^r name within the said pv. and we doe hereby likewise discharge all & every pson & psons whatsoever from o^r Councell, & to be of o^r Councell within the s^d pv. of mar: w^{ch} heretofore have bin of o^r Councell there.

nevertheles considering & well knowing that the people there cannot subsist & continue in peace & safety without some good govern^t to be ordeined & established aswell for the cherishing of the vertuous & orderly, as for the punish^{mt} of the lewd & disorderly psons there; and calling to mind the faithfull & laudable service done by o^r said deare brother Leon. Calv^t Esq aswell in the adventure of his pson in the first discent & settling of o^r colony within o^r said pvince of m. as in the ording & advancing of the same by his psonall residence within the same o^r said prov: wherein he hath manifested to the satisfaction of o^r selfe & of o^r colony there such wisdomed fidelity industry & other vertues as render him capable & worthy of the trust hereby by vs intended to be reposed in him, have nōiated constituted ordained authorised established & by these pnts doe nōiate constitute ordaine authorise & establish the said L. C. in the absence of vs & o^r heires, o^r Leiut^t grāll, admirall, marshall, cheife Capt & com̄der aswell by sea as by land of o^r s^d prov. of M. & the Ilands to the same belonging. And doe by these pnts grant vnto him the cheife comandm^t & absolute authority above & in all matters of warfare by sea & land to exequite & administer the same to the resistance of the enemies or suppression of mutinies & insolencies as o^r said Leiut^t shall think most commodious for the p^rservaōn of o^r said prov. & to doe all such other things as doe belong or apptein to the office of a Lieut^t generall, admirall, marshall, cheife Captaine or Com̄der, in as large & ample maner to all intents & purposes as we o^r selfe might doe, if we were psonally pnt, by force or vertue of the l^rs patents to vs granted by o^r soveraigne Lo: K. Charles vnder the great seale of Engl: bearing date at westm: 20. June 8th yeare of his ma^{ties} reigne. To have hold exequite & administer the same wth such & as ample power & authority as we if we were psonally pnt might doe or exequite the same by force or vertue of the l^rs patents afores^d vntil we shal signify o^r pleasure to the contrary. And we doe

hereby further ordeine & comand all such as shalbe hereafter Liber P. R.
sworne of o^r Councell within o^r said prov. of M. all Captaines
officers & soldiers aswell by sea as by land whom it doth or
may concerne, all o^r officers receivors bailiffs marshalls & all
other p^{ersons} whatsoever within o^r said prov. of M. of what
quality or condition soever, that they & every of them doe
acknowledge the said L. C. in the quality of o^r Leitu^{ant} generall,
admirall cheife Capt & Com^{mander} over all o^r fores^d p^{rovince} of m. &
the Ilands & members of the same, & doe honor respect &
obey him as they ought to doe, vpon paine of such punishm^{ent}
to be inflicted vpon them & every of them as such a highe
contempt as the disobedience & neglect therof shall deserve
And to the end that no man shall p^{re}tend ignorance, we doe
comand this o^r Commission & ordinance to be p^{ro}claimed &
published within o^r s^d p^{rovince}: at the places accustomed to p^{ro}claime
& publish any our edicts & ordinances Comanding him o^r said
L^t to p^{ro}ceed w^{ith} rigor ags^t all contemners & neglectors of the
same in such strict & severe manner as we o^r selfe might doe
by force & vertue of the said letters patents if we were there
p^{ersonally} p^{re}s^{ent}: and that without favor or connivence.

And we doe further by these p^{oints}, make constitute ordeine p. 176
& establish o^r s^d brother to [be] o^r Chancell^r, cheife Justice &
cheife magistrate within o^r s^d prov: vntill we or our heires shall
signify the contrary vnder o^r hand & seale, & doe hereby give
him power from t[ime] to time to appoint & constitute officers
& ministers for the admⁱⁿist^{ration} & exe^{cu}tion of iustice & for
doing & exe^{cu}ting all other things whatsoever w^{ch} belong to
the establishing & govern^{ment} of a good & happy commonwealth
within o^r said prov:

assemblies And we doe further by these p^{oints} grant vnto
him o^r s^d L^t Chancell^r cheife Justice & cheife mag^{istrate} full &
absolute power & authority when & as often as he shall think
fitt to call & summon one or more gr^{eat} assembly or assemblies
of the freemen of o^r said prov: or their depp: at such place or
places within o^r S^d p^{rovince}: as he shall think fitt, for the enacting of
wholesome lawes & ordinances for the govern^{ment} & well ordering
of the s^d prov: & people within the same. To w^{ch} purpose we
doe hereby grant full power & auth^{ority} vnto o^r said L^t from time
to time in every gr^{eat} Assembly to be summond by him within
the s^d p^{rovince}: of M. in o^r name steed & place to enact & assent
vnto such lawes & ordinances as he o^r s^d L^t shall think fitt &
necessary for the good govern^{ment} of the s^d prov: of m. & w^{ch}
shalbe consented to & approved of by the freemen of the s^d
prov. or the maior p^{art} of them or their depp: to be assembled
by you o^r s^d L^t there from time to time for the enacting of
lawes within that prov: Provided that the s^d lawes so to be
enacted & assented vnto by him o^r s^d L^t there in o^r name, be

Liber P. R. as neare as conveniently may be agreeable & not contrary to the lawes of Engl: & that every one of the s^d lawes so to be enacted & assented vnto in o^r name be made to continue in force till we or our heires shall signify o^r dissassent thervnto vnder o^r or their hand & seale, & not to continue in force only for any other limited time, as till the next ensuing gräll Assembly there after the making therof or for any certen number of yeares, as divers lawes heretofore have beene made there, w^{ch} causes a great deale of incertenty, & p^duces many ill effects in the govern^t there. Provided also that o^r s^d L^t doe not in o^r name enact or assent vnto any law for the constitution confirmaⁿ alteration or change of any officer or officers within the s^d prov: or w^{ch} may any way infringe or preiudice any of o^r rights prerogatives or royall iurisdiction over or in the s^d pv: granted vnto vs & o^r heires by the l^res Patents abovemeⁿond Every w^{ch} law so to be assented vnto & enacted by him o^r s^d L^t there in o^r name & consented vnto & approved of by the s^d freemen or their depp: or the maior pt of them in such maner as aforesd. we doe hereby declare shalbe in force within the s^d prov: vntill we or our heires signify our or their dissassent thervnto vnder o^r or their hand & seale & no longer: vnles after the transmission therof vnto vs or our heires, & due consideraⁿ had therupon, we or our heires shall think fitt to confirme the same vnder o^r or their hand & seale. And we doe by these pⁿts grant full power & authority vnto o^r said L^t to adorne progue & dissolve all & every such assembly & assemblies by him heretofore called or hereafter to be called at his pleasure.

Proclamat. And for as much as the calling of a gräll assembly of the s^d freemen, & the consulting about & enacting of lawes will require long time & much consultaⁿ & many times sodaine & other neāry occasions may happen or fall out w^{ch} require a speedy remedie; we doe therefore hereby grant vnto him o^r s^d L^t full power & auth^v from time to time to make constitute ordaine & publish in o^r name such reasonable & p^fitable ordinances edicts & p^clamaⁿs within o^r s^d prov: of M. wth reasonable paines & penalties therin to be expressed, to be duely inflicted on all offenders ag^st the same as he o^r s^d L^t in his discretion shall think fitt, & as by the l^res patents above mentiond is & are warranted. p^vided that such penalties doe not extend to the taking away the right or interest of any p^son or p^sons of or in their life members freehold goods or chattells, nor be repugnant or contrary but agreeable as neare as may be to the lawes established within the Realme of Engl: & to the lawes & ordinances established or to be established within o^r s^d prov: of M. all w^{ch} edicts & p^clamaⁿs shall stand in force only & vntill we or o^r heires shall satisfy the contrary vnder o^r

or their hand & seale, to him o^r s^d L^t & the people there or that he o^r s^d L^t shall in his discretion think fitt to repeale the same or that the same be repealed in a grall Assembly of the said freemen or their depp: to be called & assembled as afores^d wth the consent of o^r s^d L^t

Liber P. R.

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Ports And further we doe hereby grant full power & auth^{ty} vnto him o^r s^d L^t to appoint from time to time fitt places for publique Ports for lading ships vnlading & discharging of all goods & merchandises to be imported or exported into or out of o^r s^d p^{vin}ce & to appoint officers & ministers in the same places & ports, & also to erect & establish convenient places for the holding & keeping of faires & markets, & to establish faires & markets to be there held vpon certaine daies for that purpose to be by him appointed. And we doe further by these p^{nts} grant full power & author^{ty} to him o^r S^d L^t (if he see cause) to pardon & remitt in part or in the whole all paines forfeitures or penalties w^{ch} any p^{son} or p^{sons} within o^r s^d p^{vin}: shall incurre

Pardoning for any crime misdemeanor or offence ags^t any the lawes ordinances or orders whatsoever made or to be made for the good govern^t of the s^d p^{vin}: & to grant pardons for all & every such delinquents in o^r name vnder o^r great Seale of o^r s^d Prov: so as such p^{son} or p^{sons} extend not to the pardoning of highe treason. And further we doe by these p^{nts} committ the custody & keeping of o^r great Seale of o^r s^d p^{vin}: vnto him o^r s^d L^t And we doe hereby further grant vnto him o^r s^d L^t power & authority for vs & in o^r name to passe & grant vnder the same o^r great seale, all writts & processes, all Commissions aswell for authorising such p^{son} & p^{sons} to be of o^r Councell there as we shall from time to time appoint by warrant or direction vnder o^r hand & seale, as for the exequution of iustice, & Seale for dividing & bounding of lands, all pardons licenses & other publique acts & deeds whatsoever w^{ch} shall at any time passe within o^r s^d p^{vin}:

And we doe further hereby grant full power & auth^{ty} vnto him o^r s^d L^t for vs & in o^r name to passe & grant vnder o^r s^d great seale, to such p^{son} or p^{sons} such proportions & quantities of land within o^r s^d p^{vin}: for such estate & interest, & wth such priviledges & immunities, as we have or from time to time shall give him o^r s^d L^t warrant for vnder o^r hand & seale; all w^{ch} grants so to be made passed or granted after the same grants & the said warrants vnder o^r hand & seale for the passing therof shalbe enrolled by o^r Secretary of the s^d p^{vin}: for the time being; And after that o^r s^d Secretary shall have certified vnder his hand vpon the backside of every such grant, that the Land said grant & warrant vnder o^r hand & seale for passing therof are inrolled, & that the grantee or grantees have p^{formed} the conditions of plantaons; (if the grant be passed by vertue

Liber P. R. therof) concerning armes & ammunition, or given caution for the pformance therof within one yeare next ensuing; & also taken the oath of fidelity to the Lord Propriet' & also after that o' Survey' Generall there for the time being or his deputy shall have likewise certefied vnder his hand on the backside of every such grant that the land therein mentioned hath beene truly surveyed & containes no more in quantity then it ought to doe by warrant from vs; we doe hereby declare shalbe effectuell in law & not before ags^t vs & shall bind vs & o' heires as firmly as if livery & seisin had bin given & exequuted thiervpon.

Councell And we doe will & require o' s^d L^t to advise as there shalbe cause wth those who shalbe from time to time nōiated of o' Councell vpon all occasions concerning the good govern^t of o' s^d pv: of M. & of the people there.

And we doe further hereby grant full power & auth^{ty} vnto o' s^d L^t to inquire heare determine & finally to iudge of & vpon all causes criminall whatsoever of what nature & quality degree or condition soever the same shalbe w^{ch} may happen or arise within o' s^d pv: of M. according to the lawes of the s^d pv: or in default therof according to his best discretion, as fully & absolutely as we o' self might doe by force & vertue of the l^rēs patents afores^d if we were psonally pnt to give sentence or iudgm^t of in or vpon the same (excepting only where the life or member of any pson shall or may be inquired of or determined.) And to award exequution vpon every such sentence or iudgm^t And also to heare & determine all civill causes actions suits & demands both in law & equity of or concerning any goods chattells or contracts debts or demands or other psonall or mixt action or actions suit or su[ites]

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civill causes

whatsoever (excepting where the freehold of any pson or psons shall come in quæstion excepting causes testimoniall) in the most summary & æquall way that he may according to the lawes & statutes of that o' s^d prov. of m. already made & established, or hereafter t[o] be made & established; & in default of such lawes established or to be established wi[thin] the s^d pv: of m. then according to his best discretion, in as ample maner as we o' selv[es]: were we pnt could heare & determine the same by virtue of the s^d l^rēs patents. And where the life member or freehold of any pson or psons shall happen to come in question within o' s^d pro: of M. we doe hereby grant vnto him o' s^d L^t & vnto su[ch] psons as we have or shall from time to time by Commission vnder the great seale of o' s^d prov: noiāte & appoint to be of o' Councell within the s^d prov. of M. or vnto any three of them wherof o' s^d L^t to be alwaies one, full power & auth^{ty} to inquire heare & determine therof according to the lawes of o' s^d pv: of M. established or to be established & in default of such lawes there established or to be established

maior causes

according to their best discretion, in as ample maner as we o^r selves were we p^{nt} could inquire heare & determine the same, & to award exequution accordingly.

Substitut.

And lastly whereas o^r s^d L^t may happen to dye or be absent from time to time out of the s^d prov. of M. before we can have notice to depute another in his place we doe therefore hereby grant vnto him o^r s^d L^t full power & auth^{ty} from time to time in such cases to nōiate elect & appoint such an able p^{son} inhabiting & residing within o^r s^d prov. of M. as he in his discretion shall make choice of & think fitt to be o^r Le^t grāll, Chancell^r keep of o^r great Seale there, Admirall, cheife iustice māgrate & Comder aswell by sea as by land of o^r s^d prov: of M. & of the Ilands to the same belonging, during the absence of vs & o^r heires, & of him o^r s^d L^t out of the s^d prov. & in as large & ample maner as we have by these p^{nts} authorised him o^r s^d L^t to governe for the p^{nt}. And in case o^r s^d L^t shall happen to dye or be absent out of o^r s^d prov. of M. & shall faile to make choice of nōiate & appoint some p^{son} to be o^r L^t &c, we doe hereby grant vnto o^r Councell^{rs} there for the time being, or the greater p^t of them full power & auth^{ty} from time to time in every such case to nōiate elect & appoint such an able p^{son} w^{ch} shall then be of o^r Councell there & inhabiting & residing within o^r said prov: of m as they or the greater p^t of them shall make choice of & think fitt to be o^r L^t &c. w^{ch} p^{son} so to be chosen & appointed in any of the cases aforesaid, we doe hereby declare shalbe o^r L^t &c. during the absence of o^r s^d brother or vntill we or o^r heires shall signify o^r pleasure to the contrary & no longer. To w^{ch} L^t &c. so to be elected nōiated & appointed as afores^d we doe hereby grant the like power & auth^{ty} in all causes & things as we have by these p^{nts} given & granted vnto o^r s^d brother: hereby comanding o^r Councell^{rs} Capitaines Soldiers & officers for the time being & the people of the s^d prov. of M. & all others whom it may concerne, to be obedient vnto him in all things matters & causes as we have in & by these p^{nts} cominanded them to be obedient vnto o^r s^d brother o^r p^{nt} L^t vpon paine of such punishm^t to be inflicted on them & every of them as such a highe contempt shall deserve. Given vnder o^r great seale of o^r s^d Prov: of M. at o^r ffort of St Maries within o^r s^d prov: on the day of 1644.

Commission for the
Councell.

Cecilius &c. To o^r deare brother
Leonard Calvert Esq, o^r L^t of o^r said
pro: of M. & to o^r trusty & welbeloved Giles Brent, John
Lewger, Thomas Greene, Thomas Gerard, and James Neale
Esq^{res} greeting. Know ye that we reposing speciall trust &
confidence in yo^r wisdomes diligence & expience, have
assigned & appointed you iointly & every of you severally to

Liber P. R. be of o^r privy Councell within o^r s^d prov: of M. And we doe hereby give vnto you & every of you full power & auth^y from time to time & at all times vntill we shall determine or otherwise revoke this pnt commission, to assemble & meete together wth our L^t or other cheife Gov^r of o^r s^d prov. for the time being, when & where he shall from time to time direct & appoint, to treat consult deliberate & advise of all matters causes & things w^{ch} shalbe discovered vnto you or be brought afore you aswell concerning the quiet govern^t & regulating of the people there, as for the good & safety of o^r s^d prov. of m. And for the better &c. vt supra anno 1642 pag: 34. Given vnder the great Seale &c.

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Commission of Cecilius &c. To all & singular psons to Secretary whom these pnts shall come greeting having had long expience of the abilities & industry of o^r trusty & welbeloved Counsell^r John Lewger Esq in pforming vnto vs good & faithfull service in the s^d prov. of M. & reposing speciall trust in his wisdom diligence & expience, have constituted appointed & ordeined; & by these pnts doe constitute appoint & ordeine him the s^d John Lewger to be o^r Secretary of o^r s^d prov: of M. And also Judge of all causes testamentary & matrimoniall within o^r s^d prov: And we doe hereby give him power to grant lres of Admraon from time to time in o^r name of the estates of deceased psons within o^r s^d pv. of M. vnder o^r signett or lesser seale of o^r Coate of armes now in the custody of o^r s^d secretary, & wth the teste of the s^d Jo. Lewger as occasion shall require.

And we doe by these pnts appoint constitute & ordeine the s^d John Lewger aswell to be o^r Attorney Generall as o^r principall officer & keeper of the acts & pceedings of vs & of o^r Leiut^t gen: & Counsell there for the time being: And of & for the entring & recording of all grants by vs or o^r heires to be made of any lands or offices within o^r s^d prov. of M. & for the entring & recording of all other matters acts & things w^{ch} by any Instruccōs lawes or ordinances made or given or to be made or given for or concerning o^r s^d prov. of M. shall or ought by the appointm^t of vs & o^r heires or by the appointm^t of o^r L^t or other cheife Gov^r ther for the time being or otherwise to be entred & recorded. To have & to hold exequite & enioy the said office & offices vnto the s^d John Lewger during o^r pleasure & no longer. Given vnder o^r great Seale &c.

28. Commission to John wyatt gent, To be Comander of Kent, & John Abbott & william Cox Commiss^{rs} forma qua supra; pag: 66.

Liber A. they find good surety or sureties as afores^d or untill hee or shee shall be deliuered by o^r Leiu^t or the Councell of the s^d Prouince of Mary-Land or the greater part of them, whereof o^r Leiu^t for the time being to be one. And wee doe hereby further grant unto yo^w, & euery of yo^w full power & authority, to attatch, arrest, or by yo^r warr^{ts} to cause to be arrested & attatched & to bring to due punishm^t all Offendo^r & Offendo^{rs} in weights & measures, all forestallers of marketts, regrato^{rs}, ingrossers, extortioners, riotors & other offend- o^{rs} agst the publike wellfaire & peace of o^r s^d Prouince of Mary Land And we doe hereby command all o^r sheriffs, Officers, & Ministers wthsoeu^r that they & euery of them be obedient to yo^w o^r s^d Commis^{rs} & euery of yo^w in all things as becommeth. Gyuen under the great seale of the s^d Prouince of Mary Land att o^r ffort of S^t maries, wthin o^r s^d Prouince on the 18th day of Septemb^r 1644.

Liber P. R. 30 By vertue of his Lo^{ps} Commission to me directed in that
P. 179 behalfe, I Leonard Calvert Esq Govern^r of Maryland, doe hereby nominate & depute my welbeloved cosin william Brainthw^t Esq, to be Lieutenant, Generall, Admirall, Chancell^r Keeper of the great Seale, cheife Captaine Magrâte & Com- ander of the said pvince during my absence.

L. C.

p. 174 Novemb 2. William Brainthwait Esq, took the oath of a Counsellor of the Province in formâ supra pag. 132.

4. Thomas Greene Esq, took the oath of a Counsellor formâ Ead:

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By the Governor.

Novemb 11.

These are in his Lo^{ps} name to prohibite all & every the inhabitants of this Province to lend, give, sell, or barter any armes or ammunition whatsoever vnto any Indians within this Province without leave first had from the Governor of the Province for the time being, and to authorise any inhabitant of this pvince who shall meet wth any Indian within this Province (without the said licence) having wth him any ammunition, to take the same from him, and deliver the same vnto the Govern^r for the time being: And likewise to prohibite all the said inhabitants of this Province to enterteine or receive into their houses (without the aforesaid licence) any Indians whatsoever as they will answere the contrary at their pill. Given at west S^t Maries the 13th of Novemb. 1644.

vacat; p aliam; to
mark Phaypo, & Jo: Genalles

} 22 These are to will you & withall to Liber P. R.
authorise you to take the comand of 8.

men & a shallopp & to presse to fill vp that number; & to
employ them in service at the Ile of Kent according to Instruc-
cōns. And to require the said psons to obey you in all things
accordingly. that shall apperteine to that service

L. C.

vacant p. alias; to goe
vpon the west shore over agst Comins plant
& to land 4. & 1. to hollow at house, &
surprise some one & bring him away

} Instruccōns.

1. you are wth all the speed you may to repaire wth yo^r com-
pany to the Ile of Kent & if wind & weather p^mitt after you
are past Patuxent river to make over for the East side of the
Bay, & to keepe that side to popelirs Iland in such secrett
maner as you may to keep yo^r shallopp from being discerned at
Kent

2. at popelirs Iland to stay vntill night, discovering afore
hand if any vessell be riding against the Southerne pt of Kent,
& if there be any thereabouts or in any other part, to keepe out
of comand of all vessells, & to make for some plantaōn farther
vp the Iland where you shall have have reason to think it wilbe
fittest to putt a shore both for safety & intelligence & not to
goe on shore at Kent point or therabouts vntill you have had
informaōn, of the state of the Iland from some weaker plantaōn
as afore.

3. to enquire whether Capt Clayborne or any other have
made any disturbance of the peace or committed any outrage
vpon the Iland & to learne what force he did it with, & what
strength he is of there at sea or shore & what his intents further
be, & how long he meanes to stay

4. to deliver my lrē to C. Brent & bring an answeare if you
may.

Commission (1^o January) to Capt will: Brainthwait Esq to be p. 183
Comander of Kent, wth all authority civill & martiall w^{ch} hereto-
fore to any Comander hath belonged; & in absence to depute
such pson as shall think fitt: & John wyatt, Rob^t Vaughan
gentt. John Abbott, willia Cox Commiss^{rs}

1644

January Proclamaōn to be published vpon Ile of Kent, to
prohibite trade till ship have beene at S. maries; &c And to
declare Capt william Clayborne Esq & Rich. Thomson planter,
to be enemies of the pvince, & to phibite all intelligence or
correspondence wth them or Agents at pill &c as p file.

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Liber P. R. 4
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The Petition of Giles Brent Esq, and of mary his wife,
to the ho^{le} the Counsell of the Province.

Sheweth, That wheras the ho^{le} Leonard Calvert Esq Govern^r of this Prov: was bound to deliver to the said Mary or her assignes by the first of Aprill last, certaine cattell specified in his bill now ready to be produced in Court, neverthelesse the said cattell were not then or since delivered according to the said bill, to the damage of the pet^{rs} the value of 5700^l tob & cask. And therefore the pet^{rs} pray that you will become intercessers vnto the said ho^{le} Gov^r on their behalfe that he wilbe pleased to satisfy vnto them their said damage of 5700^l tob & cask; & yo^r pet^{rs} will alwaies pray &c.

G. B.

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The petition of Giles Brent Esq to the ho^{le} the Counsell
of the Province. Jan. 7. 1644.

Sheweth that whereas the ho^{le} Leonard Calvert Esq Govern^r of the Prov: did by certaine articles betweene him & the said Giles, oblige himselfe to convey to the said Giles certaine lands in the County of Kent, in those articles specified, and likewise to secure him by bond or covenant to keepe him indemnified in the possession of the said lands and to iustify his title in them; nevertheles the said ho^{le} Gov^r having beene required to secure the pet^r according to the said articles, hath refused so to doe, whereby the pet^r remaines exposed to manifest danger of much losse denounced vnto him from willia^m Clayborne a pretender to the said lands. ffor his remedy in w^{ch} case to wit that he may have a competent security given him for his indemnification in the possession of the said lands, and for iustification of his title in them according to the said articles, he prayeth that you will become intercessors on his behalfe vnto the said ho^{le} Gov^r &c.

G. B.

To the ho^{le} Governor.

Sir

I doe signify vnto you that M^r Giles Brent hath delivered vnto me 2. petitions herewth sent vnto you; and I desire you by vertue of the Law in that behalfe, that you wilbe pleased to give him a competent security for his indemnification in the possession of the lands at Kent, mentioned in one of the said petitions, & for iustification of his title in them, according to the said petition, dated 7. January instant: & likewise to satisfy vnto him 5700^l tob & cask, demanded in the other petition for damage of non pformance of a covenant to his wife Mary touching certaine cattell; or els. to shew cause why you refuse

to doe either; and to appoint some time when the Counsell Liber P. R.
shall attend you for it, betweene this & Monday next. So
humbly take leave to rest

Yo^r servant
John Lewger

S. Johns. 9th Jan: 1644

1644

p. 187

January 9. wheras the ffreemen inhabiting within S^t Georges hundred, did (as I am informed) in the beginning of August last consent for the helping of their quiett & safety ags^t the Indian enemy, to find for their part a souldiar wth all necessaries in the garrison then appointed at Pascatoway, w^{ch} souldiar hath served in the said garrison from the said beginning of August vntill the 6th of this month. These are to will & require you without delay after sight hereof, to assemble all the ffreemen of your hundred of S^t George, to such place & at such time as you shall think fittest, & together wth them or the maior part of them so assembled, to heare & determine the demand of the said souldiar, or of any other, for any wages or other charge pteining to the said service or to his part toward it; and to asseesse the said charge ratably vpon all pticular ffreemen of the hundred, in such manner as to you and the said ffreemen so assembbled, or the maior part of them shall seeme fittest. And if any shall refuse to consent to the making of such assessm^t or to the payment of it being made, to signifie his or their name vnto me without delay, to the end such course may be taken therin as to iustice shall apperteine. And for so doing this shalbe yo^r Commission.

Given &c.

To Tho: weston of S^t George's
hundred mch^t

All that have any demand to make for wages or any other charge laid out toward the service of the late garrison at pascatoway, are required to putt in their demand sometime afore the day of, to Jo. Lewger Tho. Gerard Esq^{es} Tho. weston mcht. Tho. Sterman; or one of them, who are appointed to take all the accompts therof & vpon the said day to divide the charge therof in the duest maner they may vpon the severall hundreds: and each of them in the severall hundreds wherin they inhabite respectively are afterward to assemble the freemen of their hundred, & by their consent to asseesse the charge of the hundred vpon the pticular freemen ratably or otherwise in such maner as they shall think fittest in every hundred respectively.

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Report from the Com^{tee} of forraigne Plantacōns conċ Maryland
1645.

Die Veneris. 28 Novem: 1645.

At the Com^{tee} of Lords & Comons for fforraigne Plantacōns

The Peticon of diuerse the Inhabitants of Maryland was this day read, setting forth the Tyranicall Gouvernement of that Prouince, euer since its first setling, by Recusants; whoe haue seduced, & forced many of his Ma^{ty} Subiects, from their Religion: And humbly praying, the assistance, & protection of the Parliament, by appointing such a Goūnem^t as they shall thinke fitt. Vpon consideration whereof; as alsoe of the Letters Patents, whereby his Ma^{ty} in the eighth yeare of his Raigne, granted the said Prouince to Cecill Calvert, Baron of Baltimore; and of a Certificate from the Judge of the Adm^{ty} (grounded vpon depositions of witnesses taken in that Court;) That Leonard Caluert late Gouverno^r there had a Comission from Oxford, to seise such persons, ships, & goods, as belonged to any of London; w^{ch} he Registered, proclaymed and endeaououred to put in execution at Virginia. And that one Brent his Deputy Go^r had seised vpon a ship employed vnder Comission, deriued from the Parliam^t, because she was of London: and afterwards, not only tampered wth the Company thereof, to carry her to Bristoll, then in hostility against the Parliam^t but alsoe tendred them an Oath ag^t the Parliam^t This Com^{ee} doth therefore conceiue, that not only the said Gou^rno^r & Deputy Go^r are vnfit to be longer continued in the said charge; but alsoe that the Lord Baltimore hath broken the trust reposed in him by the said Lrēs Patents. And that it will be a very good seruice, to haue the said Plantacon and Gouvernm^t settled in Protestants hands, by Ordñce of Parliam^t And it is ordered, that a Report be made of this matter to both Houses, that their pleasure may be receiued therein; And for that Cap^t Ingle lyes vnder the trouble of many suites here for matters done in Maryland, for the Parliam^{ty} seruice. The houses are therefore to be moued, to make prouision by ordinance for exempting from vndue prosecution here all persons, that shall be employed in the setling, and executing of the said Gouvernem^t for matters referring to the said Gouvernem^t, by referring the same to a Committee of Parliament, or otherwise in such sort, as to the wisdom of the houses itt shall appeare meete. And the Earle of Warwicke is desired to make Report hereof to the house of Peeres.

W. Jessop Sec^{ry}.

Die Jouis, 25^{to} Decembr: 1645.

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Ordered by the Lords in Parlyament assembled, That the Comittee for forraigne Plantations, doe drawe vp an Ordinance, and present it to this howse, for the setling of the Plantation of Maryland vnder the Comand of Protestants, and for the indemnity of those that haue or shall act in this bussines.

John Browne Cleric:
Parlyamentorū.

24 ffebr 1645
Rich. Ingle

p. 101

To the Right hono^{ble} the Lords nowe in Parlyament assembled.

The humble Peticōn of Richard Ingle

Shewinge

That whereas the Peticōner having taken the Covenant and going out with Lrēs of Marque as Capt of the ship the Reformaōn of London and sayling to Maryland where findinge the Governor of that Province to haue receiued a Comission from Oxford to seize vppon all ships and goods belonginge to London, and to execute a Tyrannicall power against the Protestants, and such as adhered to the Parlyament and to presse wicked Oathes vppon them and to endeauor their Extirpation. The Peticōner conceiving himselfe not only by his Covenant, but in his fidelity to the Parlyament to bee Conscientiously obliged to come into their assistance, did venter his life and fortunes in landing his Men, and assisting the said well affected Protestants, against the said Tyrannicall Governor and the Papists and Malignants his Adherents and had seuerall bickerings with them, and it pleased God to enable him to take diuers places from them and to make him a supporte to the said well affected.

But since his Retorne into England the said Papists and Malignants conspiring together haue brought fictitious Actions against him att the Comōn Lawe in the name of Thomas Cornwallis and others for pretended Trespasses, in taking away their goods, in the pishē of S^t Cristophers London and then recite the perticulers, which are the very goods, that were by force of warr iustly and lawfully taken from those wicked Papists and Malignants in Maryland, and with which hee releiued the poore distressed Protestants there, whoe otherwise must haue starued and bin rooted out.

Nowe forasmuch as yo^r Lo^{ps} in point of State, by the Order annexed were pleased to directe an Ordinance to bee framed for the setling of the said Province of Maryland, vnder the Comand of Protestants and for the indemnity of the Actors in it: And for that such false and feyned accōns for matters of warr, acted in fforreigne parts, are not by Lawe tryable att the Comōn

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Lawe, but if att all before the Constable and Marshall: And for that it would bee of daungerous example to pmitt Papists and Malignants, to bringe Actions of Trespasse, or otherwise against the well affected for fighting and standing for the Parlyament

The Peticōner most humbly beseecheth yo^r Lo^{ps} to bee pleased to direct that this busines may bee heard before yo^r Lo^{ps} att the Barr or to referr it to a Committee to reporte the true state of the Case and to order that the said suites against the Peticōner att the Comōn Lawe may bee stayed and noe further proceeded in.

Richard Ingle.

Die Martis, 24^o Februarie 1645.

Vpon the peticon of Richard Ingle read this day in the house It is ordered by the Lords in Parliament assembled, That the matters in difference Betweene the Petic^r & Thomas Cornwallis & others comprised in the said Peticon shall be heard at this Barr on this day senight being the third of March next by ten of the clocke in the morning Whereof the pties concerned are to haue speddy notice who are by their Councell to attend accordingly And that all the pcedings against the petic^r by the said pties touching the matters complained of are to be be stayed vntill the said hearing

Jo: Brown Cler.
Parlyamentorum.

2^o Martij 1645

| | |
|---------------|-------------------------------------|
| Mary fford — | } Cap ^t Ingle his papers |
| Cornewallis — | |
| Ingle. — | |

Thomas Cornwallis p^{lt}

agst

Richard Ingle def^e

Cornwallis planted himselfe diuers yeares since in the Pvince of MaryLand in America And about two yeares since Ingle came thither as M^r of a London Shipp to trade in those parts wth the English who had planted there and was there accused of high Treason for wordes w^{ch} he had spoken ag^t the King vpon some Comunicācon of the differances here betweene the King and Parliam^t vpon w^{ch} accusācon Ingle was arrested and his Shipp and goods seised by the then Gouverno^r but Cornwallis to declare his affecōn to the Parliament found meanes wthin 8 howers space to free Ingle and to restore him to his

Shipp and all his goods againe, for w^{ch} fact the greatest fine that by y^e Lawes of that Country could be sett vpon any man was by the then Gouverno^r there imposed vppon Cornwallis and hee compelled to pay the same And then for the safety of his person enforct to trust his whole estate there wth a Servant and to flie hither wth Ingle in the same Shipp And when Cornwallis came into England Ingle gaue Testimony before a Co^mittee of his good affec^on to y^e Parliament and of his great sufferings for that Cause.

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Afterwards Ingle goeing into those pts againe Cornwallis entrusted him here in London by way of Trade wth diuerse Co^modities to the value of about 200^l but Ingle kept the Commodities, and takeing advantage of Cornwallis his absence landed some men nere his howse and rifled him to the value of 2500^{li} att the least And then returning into England complained before the Co^mittee of Examina^ons agst Cornwallis as an enemy to the State vainely hoping by that meanes to shelter himselfe from the Law, but vpon full debate of the businesse before that Co^mittee Cornwallis was referrd to his remedy att Law, and hath brought an ac^on att Lawe agst Ingle for the Co^modities deliuerd here, and pcured a Co^mission out of the Chancery to examyne witnesses of the value of the goods taken away in Maryland.

To stay these pceedings Ingle caused Cornwallis to be laid in prison vppon 2 faigned ac^ons of 15000^{li} but Cornwallis by the helpe of his friendes gott out of prison And that piet^{er} faileing Ingle p^rferred a peticoⁿ agst Cornwallis before the Lordes in Parliam^t And vpon fayned allega^ons hath pcured an Order to stopp Cornwallis his pceedings att the Lawe till the matter conteyned in the peticoⁿ be determined And nowe Ingle absents himselfe and psecutes noe further vpon his peticoⁿ. And now Cornwallis hath peticoⁿed the Lords that in regard hee hath attended seuerall dayes wth Councell and is noe longer able to beare that charge, that the businesse may be speedily heard and determined by their Lo^{pps} or that hee may be left att Liberty to try his ac^on att Lawe for the goods deliuered to Ingle here

Cap^t Cornwallis def^{te}
att the suite of
Ingle & fford p^{ts}

Cap^t Cornwallis had planted himselfe in the P^rvince of Mary Land in America And about two yeares since Ingle came thither as M^r of a Shipp to trade in those parts wth the English who had planted there. And was there arrested of high Treason and his Shipp and goodes seised, for some wordes w^{ch} hee had spoken agst the Kinge vpon a Comunicac^on of the differ-

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ance betwixt the King and the Parliam^{te}, but Cornwallis to expresse his affec^{con} to the Parliam^{te} found meanes to free Ingle, and to restore him to his Shipp and all his goodes againe, for w^{ch} fact Cornwallis was fyned by the then Gouverno^r there att 1000^{li} of Tobaccoe (the highest fine that could be sett by the Lawe of the Country) and was compelled to pay the same And then for the safetie of his person was fayne to trust his estate wth a Servant, and to flie hither himselfe wth Ingle.

Afterwards Ingle goeing to those parts againe Cornwallis sent ouer some Comōdities by him for the maintenance of his planta^{con} to the value of about 200^{li} but Ingle kept all the Comōdities, and takeing advantage of Cornwallis his absence, landed some men neere his house, and rifled him to the value of 2500^{li} att the least.

Ingle returning into England, Cornwallis brings 2 seuerall accōns att Law agst him one for the goodes delu^{ed} here, and another for the goods taken away in MaryLand, To stay w^{ch} p^{ceedings}, Ingle caused Cornwallis to be laid in prison vpon 2 fayned Accōns the one att Ingles owne suite for 5000^{li} the other att the suite of one Cloberry for 10000^{li} but Cornwallis by the helpe of his friendes gott out of prison. And now Ingle hath p^{ferred} one peti^{con} in his owne name, and caused another to be p^{ferred} in the name of one Mary ffoord agst the said Cornwallis before the Lordes in Parliam^{te} And vpon diuerse false Allegacōns hath p^{cured} an Order thence to stay Cornwallis his p^{ceedings} att Law, till the matter conteyned in those 2 peti^{cons} be heard.

Seuerall days haue been appointed for heareing the businesse but through the multiplicity of other businesse the Lords could not intend itt And now Tuesday the 17th of this instant March is the day appointed

Wherefore Cornwallis humblie prayeth that the said businesse may be heard or dismissed, he beinge not able to mainteyne the charge of Attendance wth his Councill.

p. 102 To the right ho^{ble} the Lords assembled in Parliam^t

The humble peticon of Mary Foorde in the behalfe of the Protestant Inhabitants in Virginia & Maryland

Sheweth

. That Cap^t Cornwallis stands guilty of the ffacts men^{con}ed in the Paper annexed.

And therefore yo^r pet^{rs} humble suite is, That yo^r Hono^{rs} would be pleased to proceed against him

according to the Demeritts of these offences

And hee shall eu^r pray &ce^a

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Journal.

Mary Forde

A Charge to bee prefer'd by Mary ffoorde widdowe against Captaine Cornwallis who stands vnder baile to the Com^{tee} of Examinacōns to answer any matter of ffact that shalbee objected against him there or elsewhere.

Whereas it is highly evident both by Letters and other Testimonies, that one Cap^t Cornwallis here in Towne, hath heretofore and still is a great Agent and factor for the settling of a Popish faction in Mary-Land, to the great disadvantage and affliction of the Protestants in that Country, who were long before settled in Newe England and Virginia; Nowe in regard of the Lord Baltimores poysned purposes, they subtilly pitcht themselves betweene them, where they might more easely mature their designes, w^{ch} was to stick fast their supstition, and to Rob, murther, and destroy, what euer they should meete in opposicōn to them, in w^{ch} designes the said Cornwallis hath euer yett beene the cheife Actor.

Now for asmuch as they might make their intents more fruitfull, the said Cornwallis endeauored the plantinge of the place (as it should seeme) with Childeren, although stole from their parents, in whome his principalls might bee the better fixt, And to w^{ch} purpose hee stole from M^{rs} ffoord here in towne two Childeren the one a boy about 3. or 4. yeares ould, the other a daughter about 5. or 6. yeares of age, there to bee brought according to his will, w^{ch} fact the mother of the said Childeren is ready to craue Justice in.

In pursuance of the said busines the said Cornwallis did in the Country of Virginia about 11: yeares since goe forth himselfe into the bay of Chesupiack a free place for trade, for all the Inhabitants of Virginia, & their meeting with a boate of Virginia hee the saide Cornwallis would haue surpriz'd her but the Virginians standing vpon their Guards, the said Cornwallis from his owne lipps comanded the men in his owne boate to shoote at them, hee having noe other ground to fix this his Accōn on, but the Lord Baltamores propriety w^{ch} hee the said Lord had gained from his Ma^{ty} in the wronge of the Inhabitants of Virginia, as will more Clearly appeare when time shall serve, hee the said Cornwallis by that comand slew an honnest Gentleman one M^r Warren and hurt others, w^{ch} murther is yett by him vnanswered for.

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Lastly in the yeare 1644 the said Ingle being in that Country on a trading voyage, hee the said Cornwallis and one Brent did by treachery surprize his Shipp & would have forc'd the marriners to goe for Bristol to fight against the Parliament, Calling them Rebels, and endeaoured to force the Company to take an Oathe that might engage the Marriners to pursue the murderous intent of the said Cornwallis and Brent.

p. 109

March 31. 1646

Mr Cornewallis peticōn

To the right hono^{ble} the Lords in Parliament assembled.The humble peticōn of Thomas Cornwaleys Esq^r

Humbly sheweth,

That whereas yo^r petic^r about a yeare & a halfe since did in London deliver to Richard Ingle M^r of the Ship called the Reformatōn, severall parcells of goods & wares amounting to the value of 200^{li} to trade and in trust for yo^r petic^r But the said Ingle contrary to the trust reposed in him by yo^r petic^r, did sell & dispose of the said goods & wares to his own vse, for recovery whereof yo^r petic^r hath brought his accōn at lawe against the said Ingle. But the said Ingle vpon a peticōn p^rferd vnto yo^r Lop^s vpon suggestion & p^rtence that the said goods were iustly taken from yo^r petic^r by force of warr in the province of Maryland hath p^rcured the order here unto annexed from yo^r Lop^s whereby yo^r petic^r's suit at lawe is stayed vntill yo^r Lop^s haue heard the said cause.

That yo^r petic^r wth his Counsell hath at his great charge attended severall daies for hearing the said cause, and on Teusday the 17th of this instant March the same comeing to hearing before yo^r Lop^s, yo^r Lop^s were pleased to appoint ffriday the 27th of this instant March to determyn the same at w^{ch} day yo^r petic^r againe attended wth his Counsell, but the said Ingle vpon the said false suggestion having obteyned the stay of yo^r petic^r's suit at lawe did not attend according to yo^r Lop^s order but doth now neglect to p^rsecute his said peticōn knowing the same to be faigned & vntrue and in the meane time is gone or doth indeavour to get out of the realme, whereby yo^r petic^r is likely to loose the benefit of his accōn at lawe.

The humble suit therefore of yo^r petic^r is That yo^r Lop^s would be pleased to appoint a peremptory day for the speedy hearing of the said cause, yo^r petic^r being altogether vnable to beare the great charge of attendance wth Counsell yo^r petic^r being spoyld of all his goods & ruyn'd of his estate by the said Ingle: or to take off the

said restraint from yo^r pet^r and to Leauē him to his liberty at lawe, the same being only for such goods as were delivered by yo^r petic^r or by his directions to the said Ingle heere in London as aforesaid by way of trade or trust.

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And yo^r petic^r shall daily pray &c.

Tho: Cornwaleys.

25 April 1646

p. 113

Mary fford.

To the right ho^{ble} the Lords nowe in Parliament Assembled

The humble peticōn of Mary fford widdow

Sheweing

That haueing peticōned yo^r Lo^{pps} ag^t Thomas Conwallis concerning his Stealing away of her children and carrying them away into Maryland and seduceing them to popy and diuers other fowle misdemeano^{rs} comitted by him, and the matter haueing bin one day heard by Councill on both sides at the Barr and seūall witnesses examined, and it being of great consequence that the rest of the proofes be heard, And for that the said Thomas Conwallis keepes secret lodgeings that she knowes not where to finde him, but heareth that he hath p^cured an order for hearing of another cause before yo^r Lo^{pps} vpon the 28th of this instant Aprill:

Shee most humbly beseecheth, that the same 28th of Aprill may be appointed for hearing and determining of the matters of her said peticon ag^t the said Thomas Conwallis, and that hers may be heard first, least when his is past he obscure himselfe, and soe those great crimes be left vnpunished and the pet^r vnrecompenced for her da^mage and sufferings in the losse of her children, And that yo^r Lo^{pps} be pleased that notice thereof being left with his Attorney may be a sufficient serueing of him.

And yo^r pet^r (as in duty bound) shall pray &c

[Commission to Edward Hill.]

Liber B.
p. 204

Whereas by a Comission from the right Honble Cecill Lord Proprietary of the Province of Maryland to me Leon^d Calvert Esq bearing date the 18th Septemb 1644 at his Lōrps ffort at S^t Maries in the Said Province, I am authorised in Case of my absence out of the Said Province to appoint Such an able person as I Shall think fit to be his Lordps Governor of this S^d Pro-

Liber B. vince, And Whereas at this present I have occasion for his Lordship's Service to be absent out of the Said Province I doe hereby revoke all former Comissions given by me to any other person for the governm^t of the Said Province And Doe Depute and appoint Cap^t Edward Hill to be Governor of the s^d Province with the Same authority and power of governm^t as I am authorised by his Lordps Said Comission to Confer upon him And I doe further authorise the Said Cap^t Edward Hill to take & Receive into his possession and Custody for his Lordps use & his heirs all Stocks of Cattle rents of Land profitts and Customes Escheats ffines fforfeitures and Confiscations by any way and at any time due unto his Said Lordp within this Said Province of Maryland, and the one half thereof (Excepting of Stocks of Cattle) I doe hereby authorise the Said Cap^t Edward Hill as a reward for his Service to his Said Lordship to apply to his proper use and benefit during the time of his government of the Said Province, And also for all Stocks of Cattle belonging to his Lordp there to be accountable to me for his Lordps use and his heirs whenever I Shall demand the Same and untill his Lordp Shall otherwise appoint Given under my hand and Seale this 30th of July 1646 In Virginia

Leonard Calvert
locus + Sigilli

Liber A. P. 142 Locus Sigilli + Cecilius L^d & Prop^r of the prouince of Maryland & Avalon, L^d Baron of Baltemore &c. To my Deare Brother Leon: Caluert Esq^r To my trusty & well beloued John Lewger Esq^r my Secretary for my s^d Pro: of Mary-Land & to all others whom these doe or shall any way concerne, Greeting. Know yee th^t I doe hereby giue full power & authority to yo^r the s^d Leon: Caluert, & Jn^o Lewger, & to whom yo^r Two shall appoynt to demand & receiue, for my use all Rents, arreares of Rents, proffitts, debts & other dues w^tsoeu^r, w^{ch} belong unto mee, eyther in Virginia or MaryLand. And to dispose thereof, as I shall from time to time direct, & in default of such direction, according to yo^r best discretions, for my most aduantage, untill I shall giue further order therein. And power allso (if need be) in my name & behalfe to sue & impleaded, & by any lawfull way (for the recouery of any of the s^d rents, arreares of rents, profitts, debts, & other dues afores^d) to compell, any p^rson or p^rsons who shall refuse to pay unto yo^r the s^d Leon: Caluert & Jn^o Lewger, or to whom yo^r Two shall appoynt, what is or shall be due unto me from them, or any of them soe refusing. And to giue Acquittances, in my name & behalfe for what yo^r shall receiue from time to time by vertue of this warrant. w^{ch} acquittances I doe hereby declare shall be as ualid agst me, my heyres, Exequuto^{es} & admis-

trato^{rs} as if I my selfe had bene present & had signed & sealed the same. Gyuen vnder my hand & seale att Armes, att Hook, this 15th Nouemb^r Año Dñi 1646

Liber A.

Sig.

C: Baltemore

Ordinance for Maryland

L Baltimore

To bee sent to H. Comōns

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Lords
Journal.
p. 142

The Lords and Comōns nowe in Parlyam^t assembled being informed by the Comissioners for forraigne Plantations, that many of the Inhabitants of Maryland in America haue petiōned against the oppressions they haue vndergone vnder the Tyrannicall government of that Province, since its first settling by Recusants, whoe haue not only seduced but forced many of his Ma^{ties} subiects from their religion, and that the said Comissioners had considered of the Lrēs Patents graunted by his Ma^{tie} in the ight yeare of his Raigne to Cecill Caluert Baron of Baltimore concerning the said Mary land, and of his deputing of Leonard Caluerte to bee Governor there vnder him, whoe receiued a Comission from Oxford to seize such persons, ships and goods as belonged to any of London, which the said Caluert and his Agents registered and proclaymed in Virginia, and endeavoured to execute in Maryland, and that one Brent the Deputy Governor had actually seized vppon a ship employed vnder the Parlyament, because shee was of London, and then tampered with the ships Company to take an oath against the Parlyam^t and to carry the said ship to Bristoll then in hostility against the Parlyament: The said Lords and Comōns taking the same into Consideration doe order ordaine and declare, That the said Cecill Caluert Lord of Baltimore hath wickedly broken the trust reposed in him by the said Lrēs Patents, and that it is convenient and necessary that the said Lrēs Patents bee repealed and made voyde, and doe hereby repeale the same accordingly and order and ordaine that the said Cecill Caluert and Leonard Caluerte the said Governor by him appointed, and the said Brent the Deputy Governor, and all other Officers of the said Calverts appointment bee removed and displaced; And that the said Comission^{rs} for forraigne Plantations doe take care according to the trust in them reposed to nominate and appoint an able Governor and other fitt Officers of the Protestant Religion and well affected to the Parlyament to hold and execute the said respectiue Offices and places in the roome and stead of the said Cecill Caluert Leonard Calvert Brent and other the Ministers hereby remoued And Bee it ordayned that aswell the said newe Governor, and all other Officers soe to bee ap-

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pointed, and made in all things that they shall acte and doe by vertue of this ordinance, and all other psons that they shall employ vnder them, or any of them in pursuite of this Ordinance, shalbee for euer protected and defended by the power and authority of both Howses of Parlyament, and shalbee enabled to exercise and vse (in Case of opposition) all acts of force and hostility, and such other power and meanes as they shall finde convenient, and necessarie for the said premisses, and according to such Instructions and direccōns either speciall or Generall as shalbee given and directed by the said Comissioners for fforraigne Plantations.

Liber B.
p. 205

Sworn to the Oath of ffealty 1646 2^d Jan.

| | | |
|------------------------|-------------------------|---|
| M ^r Lewger | Nevett | W ^m Brough |
| M ^r Gerrard | John Nevill | Thomas Thomas |
| M ^r Green | W ^m Wright | Walter Pakes |
| Francis Gray | John Norman | John Jarbo |
| John Hampton | Rowland Maze | M ^r W ^m Eltonhead |
| John Hatch | John Thompson | John Mansell |
| Francis Pope | Robert Edwards | ffra: Posey |
| W ^m Tompson | Walter Broadhurst | Jn ^o Wheatley |
| M ^r Bretton | James Walker | W ^m Hungerford |
| Nath: Pope | John Hilliard | Stephen Salmon |
| Thomas Sturman | Henry Spink | Thomas Petite |
| John Hollis | W ^m Perfaite | Tho Mitchell |
| John Tue 17 Jan | ffrancis Sherwood | |
| Walter Beane | John Gore | |
| | Nath Jones | |

[Proclamation of Embargo.]

p. 207 16

By his Lordps Lieutenant & Gov^r of Maryland

Upon certain reasons known unto my Self requiring an embargo to be laid at this present upon all persons vessells and to the end that noe Intelligence may be comunicated or practice entertain with fforraigners during this time of war I doe hereby forbidd all persons now being in the County of S^t Maries, that they presume not to goe or attempt to goe out of the County of S^t Maries without acquainting me first therewth and my Leave Soe to doe and that noe person entertain any Communicācon or give any entertainment to any one comeing into the Province or from the Isle of Kent but that Imediatiy after the knowledge of any arrival of any person or Vessell Comeing into the County of S^t Maries they give notice thereof to me as Soon as they may and warn all persons Soe arriving to come to the the ffort to me afore they entertain any

Communicācon with any pson person of the province, This Liber B.
p. 208
proclamācon to be in force in every hundred immediatly after the
publishing hereof in the hundred and to continue in force for
one Month from the date of it, and all men after publication
to take notice of it and observe it in every point Soe far as it
Shall concern them upon pain of death or Such other Censures
as the Offence Shall deserve in the Judgm^t of a Martiall
Court, assuring all persons that I intend to take a very Strict
account of all Offences to the Contrary thereof Given at S^t
Inego's ffort this 16th January 1646.

Renewed for one Month more 12th ffebr 1646, especially pro-
hibiting export Cattle or Corne

18 The Charge of his Lordps Attorney ag^t Thomas Stur-
man John Sturman ffrancis Gray John Hamton
Robert Smith Tho: Yewell

1 That Since they were lately pardoned by two Several
pardons one after another of the crimes of Rebellion and Sedi-
tion, they the Said Delinquents, or Some one or more of them
have Secretly fled out of the Province by night, & made resort
and assembled themselves together at the house of one John
Mottram, and with others of Checkacoan notorious enemies to
the Lord Propriāry and his governm^t here established and on
the thirteenth ffourteenth ffifteenth and Sixteenth days of this
Instant Month of January or Some one or more of them, have
at the place, and with the enemies of the Province aforesaid,
used divers Speeches and practises and hatched & Complotted
divers Machinations and Conspiraces ag^t the person of Leonard p. 209
Calvert Esq now Gov^r of the Province and for the entring into
the Province by force as enemies and robbers to destroy the
Inhabitants and the Cattle, and to burn & fire the Country
afore them, and all the rest of the S^d delinquents have been
privy and accessary (afore) to Such Speeches practises and
dessignes.

2. That In further pursuance and execution of the Said
Rebellions and hostile dessigns, That they the S^d delinquents
or Some one or more of them, have used Speeches and news
at their returning into the Province on the 17 Jan: Last, tending
to the publishing and advanceing of another right and title to
the Dominion and propriety of this Province then the right and
title of the Lord Baltemore, viz^t publishing and proclaiming in
triumphing Manner, that one Cap^t Wyatt was comeing in with
Comission from the parliam^t for the Governm^t of this Province,
and that divers Ships were in the bay to that end, as likewise

Liber B. Spreading news at other time that Cap^t Clayborne had likewise Comission for the Governm^t and was come up with 50 men to take the Governm^t or at least to Support the Rebellion of Kent which divers other Speeches and news tending to fright the people & divert their Obedience from the Lord Propr.

3: In further pursuance and Execu^{co}n of the Said Rebellious and hostile design and the better to cover and Execute the Same, they the Said Delinquents or Some one or more of them, come by night into the Province, and drive and carry away the Cattle of the Inhabitants, as enemies and Robbers, and Some of them they kill and convey over to the residue of their Confederates as aforesaid, and all the rest of them are privy and accessory to Such Robberies and hostilities

And thereupon his Lordps Said Attorney prayeth that the Said Several Delinquents now in prison, may be Judged for the Said Several Crimes, to be banished out of the Province, as persons incorrigible and desperate for the Loyalty and peaceable demeanour, and all their goods to be Confiscated to the Lord Propriary, and their Lands to the Several Lords of whome they are Imediatly holden, and that their persons may be kept in Close prison untill means may be provided for their transport, And that the rest of the Said Delinquents not being now to be found may be proclaimed to render themselves to the Sherriff within ten days after notice thereof upon perill of being proceeded ag^t in their absence, & forfeiting all their Lands and goods as a^d

Jo: Lewger.

The Examination of Edward Thomson taken 18th Jan'y 1646
before the Governor.

This Examinant Saith that being at his house in Chickacoan on Wednesday last, one Sam: Tailor comeing into the house and being ask't by this Exaiant what news abroad Replyed the Speaker (meaning ffrancis Gray) had Spoke once again, and that they that were the Chief cause of entertaining the present Gov^r were aimed at and their death vowed (nameing Cap^t Price and Thornbury and Hebden) but that there was a party that would goe over from this Place (Meaning Chickacoan) Soe Soon as the Governor is gone to Kent or where else they can gett an opportunity to goe over & w^d fire and burne and destroy all that they can.

By his Lordps Lieuten^t

You are to informe your Self by all means you may (Yea if it Shall be needfull) by the Oath of any persons or psons other

then the parties themselves, what goods imported Since the last meeting of Assembly have been Sold or vented within S^t Clements or Newtown hundred by Ralph Beane or any other and what Inhabitants of those hundreds have been aboard the Vessell of the Said Ralph Beane Since her last coming out of Virginea and to certifie unto me the names of all Such persons, and the Sorts and quantities of all Such goods as have been vented as afores^d — And further to inquire in maⁿer as afores^d what quantities of wine or hott waters have been vented by the Said Ralph Beane or any other Since the S^d Vessell's Last coming as afores^d and if you find that any has been vented then you are to Seize and bring to S^t Inigo's ffort All wines and hottwaters imported by the S^d Ralph Beane or any others as aforesaid, And you are further to require the Said Ralph Beane and all other persons intending to freight any Tobaccos out of the Province upon the Said Vessell, that he or they doe either come to the ffort to discharge or Secure the Custome, or else that they bring the Said Vessell under command of the ffort and there lade their Tobacco's upon perill of forfeiting all Tobacco's which Shall be laden otherwise as attempted to be exported afore the Custome discharged or Secured, And you are to execute this precept very diligently and exactly and to make return of every particular as Soon as you may, Whereof fail not and this Shall be your warrant Given at S^t Inigo's ffort 19th Jan'y 1646. To M^r W^m Bretton

Liber B.

p. 211

Jan'y 19, Thomas Sturman ffrancis Gray John Hampton & Robert Sedgrave & John Sturman doe each of them Severally for himself acknowledge themselves to owe unto the Lord Propriary two thousand w^t Tobo in Case they Shall attempt to goe out of the County of S^t Maries without acquainting the Gov^r therewth afore or Shall entertain Secret Comunica^on or intelligence wth John Mott Thomas Yewell Thomas Lewis or Rob^t Smith or any person coming from them or any of them, or Shall harbour them or any of them, or Shall know of any of their Coming into the parts where he lives, and Shall not as Soon as he may give notice thereof to the Govern^r

Mark of T Tho^s Sturman
ffrancis Graye
John Hampton
Ro: Sedgrave
John Sturman

Capt John Hamton to the Interrogatory of William Lewis Saith upon his Oath that he knoweth not any of W^m Lewis now possessed by any in the Countrey.

Liber B.

By his Lordps Lieuten' of Maryland.

p. 212 Whereas Robert Smith Thomas Yewell and Thomas Lewis being Inhabitants of this province have Secretly fled out of the Province, and adjoynd themselves to persons hostilely affected against this Province, and doe hence return into the Province by night as enemies and Robbers, and kill and Carry away the Cattle of the Inhabitants, These are to Summon the Said Robert Smith Thomas Yewell and Thomas Lewis to render themselves to the Sherriff of St Maries County or at St Inigo's ffort afore the 4th ffebruary next upon perill to be proclaimed Rebels and Robbers and as Such to be proceeded ag^t both themselves and all persons and Communities (yea throughout of the Province) that Shall harbour them or any Of them after notice hereof.

Jan 19 You are to Search at St Inigo's house for all goods belonging to other then the present Inhabitants within the house and to take into your possession, all goods there found upon Mr Copleys Land, but what the Said present possessors of them Shall averr by Oath to have been their own proper goods and not to have belonged to any of the Inhabitants on the 14 ffebr 1644 or Since, And Such as Shall make claim to any Such goods by Gift Sale, depositions trust or Otherwise, you are to warn to be at the Court on 4th ffebr next. to Shew Cause why Such goods Should not be restored to the owners, And return an Inventory of all goods as Shall be taken into your Custody by vertue hereof And this Shall be your warrant.

L- Calvert

To Lieuten' W^m Lewis.

20 The return of William Lewis of the warr^t Supra Received of Mr's Baldrige at St Inigo's house

1 Copper Kettle of Mr Copley's — 1 brass ladle — 4 traes — 5 pewter plates — a pewter flaggon — 1 p^r of great iron andirons — 1 dozⁿ of thin Cheese trenchers in a box — Six pictures 1 lether Stool & 1 lether Chair a Chest of drawers.

p. 213 Left in the house.

3 tables and all the bedsteeds in the house belong to Mr Copley:

In the Smith's Shop:

a pair of great Smith's bellows, a Great Anvill & become— a Small Anvill—a great vice—a great hammer—Other Small tools belonging to the forge, 40 plates of a Cart wheele.

21—warrant to William Lewis to Summon all Inhabitants of S^t Clements & new towne hundred to pay rents & head corne at the ffert afore 4 ffebr next pill distress & Charges. Liber B.

29 Jan'y William Lewis returned Summoned Rich^d Banks, William Thomson, Jo Medley, W^m Asiter, Walter Beane, Ja Johnson: M^r Britton M^r Gerrard, Rich Nevitt Jo: Mansell:

L. Baltimore.

The Buisiness of Mary land to be moued in y^e Lords house for allowance of the witnesses in the Ad^{ty} Court. House of
Lords
Journal.
p. 154

Expēd.

May it please yo^r Lop

To Moue

That the examination of the witnesses taken in the Adm^{ty} concerning the buisnesse of Maryland be ordered to be read & allowed at the hearing of the Lo: Baltimore in the Lords house.

That Capt. Ingle being now gone to sea it may be ordered that his affidauit taken before a Master in Chancery may be allowed.

And alsoe that Tho: Stagg & Jame Baldridge & Capt. France Pott be Comanded to attend the house as witnesses the 28th of this Moneth being the sixt day for the Lo: Baltimores hearing by order of their house.

Warrant to Cap^t Price to take all boats in huñdr New Town or S^t Clements not capable to be made use to the breach of late Proclām: and to drive all Cattle in S^t Clem: hundred belonging to others them possessors only 2 or 3 to dispose to Barth Philips and to distrain Mann^r Walgrave 12 barrell Corne arrear 3 yea: Liber B.
p. 213

Assurance to Robert Smith and Tho Yewell by the Govern^r to pardon them all offences past to this day if Submitt afore 4 ffebr and to take Oath of ffealty

January 27th 1646

Assurance to Robert Smith and Thomas Pewell by the Govern^r to pardon them all Offences past to this day if Submit afore 4 February and take Oath of Fealty Liber C. B.
p. 148

Liber B. 29 John Sturman W^m Hardige & Francis Gray licensed to
 p. 213 goe over to Chickacoan Soe that upon their return one of them
 p. 214 come to the Governor within 24 hours.

Liber C. B.
 p. 148

February 4th 1646

The Governor repealed the Power which he formerly Gave to M^r Bretton Clk for signing of writts and administring of Oaths

p. 166

February 4th 1647

The Governor repealed the power which he formerly Gave to M^r Bretton Clk for signing of writts and administring of Oaths.

Liber A.
 p. 144

March. 4^o The Gouverno^r repealed the power w^{ch} he formerly gave to M^r Bretton Clk, for signing of writts, & admīstring of oaths.

House of
 Lords
 Journal.
 p. 162

4 March 1646

Lo Baltimore

To the right Hono^{ble} the Lords in Parliam^t assembled
 The humble peticon of Cicill Lord Baltemore.

Sheweth,

That whereas there is an ordinance dependinge in this howse for repealinge of his Pattent of Maryland, vpon w^{ch} place hee hath ingaged the greatest parte of his fortune. That as hee hath heard and supposes, it is for some a^ccons p^rtended to bee done by others vnder him there, but hee doth not yet knowe the p^ticulars of the chardge intended to bee layd against him, nor whoe are his accusers. That betweene March and June next there is expected as is yearely vsuall a returne of Shippes from those parts, by some of w^{ch} Shippes hee expects some persons to returne, whose testimonies may bee necessary for his Iustifica^con.

Wherefore hee humbly prayes that this hono^{ble} howse wilbee pleased to order, that hee may haue the p^ticulars of his chardge deliv^red to him in writtinge, and that hee may haue a convenient tyme afterwards giuen him to prepare for his defence in a busines w^{ch} soe neerely concernes his inheritance, and that the ordinance may in the meane tyme bee suspended till hee bee heard.

And yo^r pet^r shall pray &^c

C. Baltemore.

4. Martij 1646.

Pet^{on} of the London mch^{ts}
trading to the Plantacons

House of
Lords
Journal.
p. 162

D^t 8 Feb. 1646

.To the right hono^{bl} the Lords in Parlyament assembled.

The humble Petition of divers Marchants of the Citty of
London, trading to Virginia and other the English
Plantations.

Sheweth

That whereas an Ordinance is depending, and hath past this
hono^{bl} Howse for the making voide and repealing of the Letters
Pattents graunted to Cecill Lord Baltimore of the Province of
Maryland neere to Virginia for the reasons exprest in the said
Ordinance.

And whereas vppon two or three Petitions of the said
Lord Baltimore vnto this Hono^{bl} Howse, that hee might
haue a hearing of his Cause, there hath been seuerall
dayes appointed for him to bee heard at this Barr by
his Councell.

Nowe forasmuch as the said Lord Baltimore and his Agents
haue not only acted horridd things in that Province as Papists
and Enemyes, but alsoe haue binn interest in a Comission w^{ch}
tearmes the hono^{bl} Parlyament Rebels, and to sease the Estates
of Londoners, which hath bin soe cleered to the Comitty of
Plantations, as may render an opinion that his Petitions are
rather heere presented to protract and delay time, then truly to
obtaine a hearing, and this bussines is not only of publicke
concerment to this Comonwealth, but to all the Planters and
Traders into those pts of Virginia and Maryland.

Yo^r Petitioners doe therefore most humbly pray that
the said Ordinance may bee sent to the Howse of
Comons according to yo^r Honors first intent.

And the Petition^{rs} shall euer pray &c

Maurice Thomson
Tho: Deacon
W^m Jhonns
Tho: Janorcije
Richard Flouers
Charles Culley

Oliuer Clobery
Geo: Fletcher
Rob^t Lewellin
Anthony Pennyston
Rich^d Allen
Tho: Gower

James Stetry
W^m Pennoyer
Rich^d Chandler
W^m Travers
Richard Phillippis
John White.

Oppose the same, to the uttermost of my power soe long as
I shall be a member thereof; Soe help me God &c:

Liber A.
L.O.R.No. 2
p. 191

Jurat Coram Leon: Calvert. Aprill 16th Anno Dñi 1647.

Liber A. Rob^t Vaughan John Malham ffran: Lumbard Zach: Wade
 L.O.R. No. 2 Tho: Bradnox Tho: Pott ffran: Brookes Rich Cotsford
 Edw: Comins Rob^t Short Joh: Ayres Walter King
 Edm: Lennin Walt. Joanes

By the Generall of Maryland.

Gräll Pardon

att Kent Whereas the Inhabitants of the Ile of Kent
 Tho: Bradnock Edward Comins, John Malham, Thomas Pott,
 Robert Short, ffrancis Lumbard, John Ayres, Zacharias Wade,
 Richard Cotsford, Edmund Lennin & Walter Joanes have
 taken the Oath of ffealty to the R^t Hoñble Cecill: Ld Baron of
 Baltemore Ld Prop^r of this Province & submitted themselves
 againe to his Ldps Government, I doe hereby in his Ldps name
 by Vertue of his Commission in th^t behalfe to me directed,
 Publish and Grant unto every and singular the above named
 persons an absolute and free pardon of & for all Crimes of
 Rebellion, or other offences whatsoever of what Nature soever,
 Committed within this Prov: at any time heretofore to this
 present day. And of all losses of life, lands, or Goods & of
 all other penalties whatsoever any way incurred by the said
 offences, or any of them Given at the Ile of Kent this 16th day
 of Aprill Anno 1647 Leonard Calvert

Comissⁿ for the

Coñider, of Kent Know all men by these presents that I
 Leonard Calvert Esq Governour & Cap^t Gräll of the Province
 of Maryland under the R^t Hoñble the Ld Prop^r of the Same,
 reposing especiall trust & confidence in the fidelity; & prudence
 of Robert Vaughan Gent by vertue of his S^d Ldps Commission
 authorizing me thereunto; doe Constitute ordaine & appoint
 th^e Said Rob^t Vaughan to be Chiefe Cap^t & Commander under
 me his S^d Ldps Gräll of all the militia of the Ile of Kent; &
 w^{ch} is to Command & Exequute whatsoever Shall be by him
 thought requisite for the defence of th^e said Island, against all
 intestine Mutinys or Sedition that shall happen within the s^d
 Iland & agst all invasion of any forreigne Enemy whatsoever:
 And I doe also athorise him the said Cap^t Rob^t Vaughan, to
 constitute and ordeine under him all such officers for Military
 Service as he shall think requisite. And to inflict such punishm^t
 upon all offendo^{rs} under his command agst Martiall discipline
 as the Nature of the offence shall deserve according to the Law
 Martiall, Provided th^t where the offence shall deserve the for-
 feiture of either life or member, that such offendo^r be referred
 for his triall & Judgm^t to the Provinciaall Court to be held by
 his Lordships Governo^r & Council of this Province. And I doe
 further authorise the s^d Cap^t Rob^t Vaughan to award all process

necessary according to the Law & Custome of this Province for or concerning all actions civill & Criminall within the s^d Iland of Kent. And I doe authorise the Said Cap^t Rob^t Vaughan, W^m Coxe Thomas Bradnoxe, Edward Comins, Phillip Conner & Francis Brookes Gentlemen or the major part of them whereof the s^d Rob^t Vaughan to be always one to hear try & Judge according to the Lawes of Province all actions & Causes Civill w^{ch} shall happen between party & party within the said & to award Exequution upon the same Excepting when the ffeehold of any one Sh^{all} come in question.

Provided th^t it shall be Lawfull for any one, at any time before Exequution Served to appeale from the Iudgm^t unto the Provinciaall Court of this Province. The Appellant first putting in Sufficient Security to the Court from whence the Appeale is made, for treble damages to be Satisfied to the adverse party in the Cause; in case he be cast in the Provinciaall Court in the S^d Cause. And I doe authorise the said Cap^t Rob^t Vaughan, & his assistants before Mentioned or the Major part of them whereof the said Cap^t Rob^t Vaughan to be alwaies one to hear & Judge according to the Lawes of this Province all Crimes & offences Committed within the S^d Island & to Cause Such Sentence, as shall be given by them therein to be Exequuted Excepting where the life or Member of any person shall come in question. And I doe hereby require all the Inhabitants of the said Island of Kent to acknowledge & obey the S^d Cap^t Rob^t Vaughan, Will^m Coxe, Thomas Bradnox, Edward Comins, Phillip Conner & Francis Brooks Gentⁿ in the Severall Commands & authoritys, hereby Committed to them, as they will answer the contrary at their perills. Given at the Isle of Kent this 18th of Aprill Año 1647

Leonard Calvert

By the Governo^r &c:—

These are to require you so soon as you may to Cause all such lands, Goods, & Chattells, as are belonging unto any of the late Rebels on the Iland of Kent, & fled from thence, or th^t is yet remaining in the S^d Iland, & hath refused to take the oath of ffealty to his Ldp to be attached & kept in safe Custody by Some officer to be appointed by you, untill Every of the S^d psons respectively shall appeare before me & the Councell of this province att S^t Maries to answer their Severall Crimes of Rebellion, & refusall of the S^d Oath. And abide Iudgment of Court therein. Given at the Ile of Kent Aprill 20th An^o 1647

Leonard Calvert

To Cap^t Rob^t Vaughan & the rest
of the Commission^{rs} of the Ile of Kent.

CECILIUS CALVERT, LORD BALTIMORE,
Proprietary.

THOMAS GREENE,
Governor.

1647-1648.

June 10. M^{rs} Margaret Brent deposeth th^t th^e late Gouverno^r Leonard Calvert Esq being lying uppon his death bed, did by word of mouth on the Ninth of this month nominate Thomas Greene Esq Gouverno^r of th^e Prouince of Maryland.

Liber A.
L.O.R. No. 2
p. 194

ffrancis Anketill being p^{nt} att th^e same time deposeth idem M^{rs} Mary Brent deposeth idem. being p^{nt} att th^e same time. James Linsey being allso p^t deposeth idem

Teste

Willm Bretton Clk

June 10. Whereas by Commisⁿ from the R^t hon^{ble} Cecill L^d Prop^r of the Province of Mary Land to the late Gouverno^r Leonard Calvert Esq. bearing date the 18th Septemb^r 1644 att his L^{ps} fiort att S^t maries in the s^d Prouince: Flee the s^d Leon: Calvert was authorized in case, hee should happen to dye, or be absent from time to time out of the s^d Prouince to nominate elect & apppoint, such an able person inhabiting & residing, wthin the s^d Prouince (as he in his discretion should make choice of & thinke fitt) to be Gouverno^r of the s^d Prouince. These are therefore to publish & declare to all p^{rs}ons whom it may concerne, th^t the s^d Leon: Calvert did by word of mouth on the Ninth day of June 1647 (lying uppon his death bed, yett in p^rfect memory) nominate & apppoint Thomas Greene Esq^r one of th^e Councell of this Prouince, to be Gouverno^r of the same; wth all the same authority & power of gouern^t as he the s^d Leonard Calvert was authorized by his L^{ps} Commisⁿ to conferre uppon him. As by the oaths of M^{rs} Margaret & Mary Brent, ffrancis Anketill, & James Linsey (who were all then p^rsent wth him att th^e same time) is auerred to be true.

Liber A.
p. 62

Teste me Willm Bretton Clk.

June 12th Whereas for certaine crimes formerly committed John Dandy amongst other penalties was adiudged to be publique Execution^r wthin this Prouince. Vppon the good behauio^r of the s^d John Dandy, & for many good seruices performed by him behauing himselfe eu^r since uprightly, forward & willing in the undertaking divers matters for the good, & safety of this Prouince, to the uttmost of his power. And especially expressing a speciall readines & faythfullnes to the late Governo^r Leonard Calvert Esq^r the s^d L. Calvert did promise to remitt the s^d John Dandy from all former penalties,

Liber A. incurred w^tsoeu^r But being prevented by Death. Thomas Greene Esq his L^{ps} Gouverno^r is hereby willing to confirme the same. And doth hereby acquitt the s^d John Dandy from all such penalties & censures.

Tho: Greene

[Letter of Edward Hill.]

p. 68 Honored S^{rs}

June 22th I doubt not but yo^w are familiar, to such unhappy passages, as were the first inducem^{ts} to mee, for the entertainem^t of the gouernm^t of Mary-Land. And although the spetious pretence of th^t clause of (absence) in the Gouverno^{rs} Commisⁿ was the whole pretended title of a reinuation. I am confident it would not be held sufficient to the usage of force (euen by his L^p) agst his L^{ps} gouernm^t then instated one me for these ensuing reasons.

first. The late Gouverno^r being out of the Prouince had not power to grant Commisⁿ for to rule them.

2^{ly} His L^{ps} Counsell had then the immediate power, in the Election & choyce of a Gouvern^r w^{ch} as the state of things then stood, they supposed it absolutely necessary for the safty of the Prouince to confirme mee independent of any contradiction but his L^p and this by Assembly.

3^{ly} If the late inuasion should be held lawfull, I doubt not but yo^w are sensible to what a slavery the Kings freeborne subiects & soe consequently yo^rselfes are inuolued in when the single power of the Gouverno^r should disanull his owne, and the country's Act, by a Countermand, his owne, I say, though acted by another person.

Gentlemen I presume upon this to make this position, th^t the gouernm^t of the s^d prouince is as inherent to mee, till his L^{ps} pleasure be further knowne, as his L^{ps} right in the s^d Province, or as yo^w his Counsell. What insufferable losses both of fortunes, & credit I haue sustayned, I doubt not, but report hath brought it to yo^w But inducem^t of freinds wth the throngs of those, th^t haue bene ruined by the uniuert breach of the Composition are dayly clamorous in my eares. Soe th^t euen Justice, if not credit, or losse will force me, I feare, to some strange ouerture in th^t busines. I am altogether unwilling to moue the stone violently, what inundation, losse, & ruine it will produce to the whole, I am not ignorant of. I had rather some moderate way were taken for the satisfaction on all sides. Occasion (by the death of the late Gent^l) is now bald all discontents may be easily pacified, & brought to good termes of qualification Peace may breath a quiett possessⁿ unto them, & every one there resident. But if the storme once breake out, it is to be feared, th^t proceeding from such

an influence, of discontent th^t it may ouerwhelme the whole. Liber A.
S^{rs} in this there is only difference in the p^rsons of the Gouverno^r
not his L^{ps} title infringed, nor the peace soe th^t yo^w may be
confident, it may be acted, wth out euill or the punishment
thereof, w^{ch} will happily fall on the Opposers. Howsoeu^r
(since S^r Will^m Berkeleys l^rēs nor my owne, can procure a
priuate right but by Attorney) I haue little hopes to preuaile in
this busines of such concernm^t yett th^t I might giue a fayre
demostrāon to the world, & his L^p of all proceedings, I haue
adventured to wright thus much unto yee his Counsell. And
in all freindly loue request yo^r answere. I would to the utter-
most of my power indeauo^r the safety of the prouince under
his L^p If it faile for all th^t I know yee may be blame worthy.
ffor others of humo^{rs} different from mine, priuately embrace a P. 69
parliamentary influence, w^{ch} may proue fatall to the whole.
Gentⁿ I leave this to yo^r consideration. And rest.

Yo^r very lo: ffreind

Edw: Hill.

Checakone the 20th of
June 1647.

Gentl.

Post script. I haue stopt my returne to Virginia in expectation
of yo^r answere w^{ch} I hope will bee speedy. And in th^t uery
curtesy I shall rest thankfully yo^{rs}

Edw: Hill.

Endors. To his hon^d ffreinds M^r Thomas Greene
& Cap^t Giles Brent these p^rsent.

[Answer of Governor Greene.]

S^r

Whereas yo^r uaine claimes of right to this gouernm^t are
grounded upon this false pretence. That the late Governo^r
being out of the Prouince, & not nominating one in his steed,
The Counsell residing in the Prouince had full power &
authority to elect & chuse yo^w w^{ch} is euident they had not, as
the words of his L^{ps} Commisⁿ plainly shew, ffor th^e words of
his L^{ps} Commisⁿ in breife are these. That in case o^r Leiu^t shall
happen to dye, or be absent out of th^e Prouince; & shall fayle
to make choyce of some p^rson to be o^r Leiu^t &c: Wee doe
grant to o^r Counsellors full power in such case to elect such an
able person, inhabiting & residing wthin o^r s^d Prouince, w^{ch}
shall be one of o^r Counsell there. w^{ch} I presume yo^w are none
of. If yo^w are, wee understand it not as yett. As for yo^r
menacing us wth dangers & feares, we regard them not, desyr-
ing yo^w in curtesy, if yo^w please, to desist from such unlawfull
wayes. The Gouverm^t is now lawfully instated upon mee,

Liber A. one of his L^{ps} Counsell, whose right & title I am resolued (god willing) to defend & mainteine wth all th^t is deare unto me, my life. The rest of yo^r kind threatning lrē, I passe it ouer as not regarding it. Only this I say th^t if his L^p shall appoint yo^w to be his Gouverno^r here (to whom I heare yo^w haue written to th^t purpose) after his L^{ps} significatōn therein I shall readily resigne unto yo^w But your boasting threats, & other uaine perswasions shall not easily allure me to it. before his L^{ps} pleasure knowne therein. I rest

S^t Inegos ffort this
21 June 1647

Yo^r freind
Tho: Greene

Edors. To Cap^t Edw: Hill These p^tsent.

[Letter of Gov. Greene to Gov. Berkeley.]

p. 72 Hon^d S^r

Yo^r lrēs dated the 12th June last, & directed to M^r Caluert came unto my hands. the s^d M^r Caluert being dead some few dayes afore. Who substituting mee in his stead. I make this answeare to yo^r request in the s^d lrē concerning Cap^t Hill. Who much wthout reason, seemes to suspect & doubt the Justice of this Court. And whereas S^r in his behalfe yo^w desyre he should be satisfyed in what shall be iustly dew unto him. I am confident neuer was, nor euer would haue beene denyed him by the noble Gentⁿ deceased. wthout any such sollicitatōn from yo^w Nor shall Cap^t Hill, I hope, euer haue iust cause of clamour, for any thing uniustly detayned from him here, soe long as I shall haue any interest in the gouerm^t of this Prouince. And these are humbly to intreate yo^w to take some effectuall course th^t Cap^t Hill may not by his euill designes & practises proceede to disturbe his Ma^{ty} the Kings peace here; of whose uniust & wicked designes of inuading this Prouince, by the way of Chicacoan & Appamatucks wth some other forces to be drawne out of other parts of Virginia wee haue dayly credible informāōn, by others, & of late expressions of his owne sent unto us under his owne hand from Chicacoan to th^t purpose. ffor as I would not willingly this Colony should be further imbrewed in the effusion of blood, if it may bee auoyded; soe likewise I will not be understood soe unresolued as not to bee fully determined to giue him his due, & deserued punishm^t when euer wee shall be inuaded by him. The gouerm^t of this Prouince under his L^p being now lawfully instated uppon mee, by the nominaōn of M^r Calvert att his death. I am resolued by Gods helpe to defend & mainteine, though itt bee wth the hazard & ruine of the whole rather then to yeeld the least Iota of his L^{ps}

right & tyle here, soe clearely due to him, to the will & malice of such rebellious spiritts: & shall not doubt but the aduiso^{rs} abetto^{rs} & euen the most priuate suggesto^{rs} as well as the open acto^{rs} of such outrages, will in their due time bee brought to light shame & confusion. Thus in a confident expecta^on of some speedy stay by yo^r Authority to these intended mischeifes of Cap^t Hills, uppon this Colony so much recommended to yo^r protection & assistance by his Ma^{ties} Irès. I rest,

Yo^r humble seru^t
Tho: Greene.

Edors. To the R^t Hon^{ble} S^r Will^m
Berkeley Kn^t Gouverno^r
of Virginia these p^{nt}.

[Commission to John Price.]

Locus + Sigilli Whereas sundry the Inhab^{ts} of this Prouince haue susteyned diuers great losses in their estates by the Indians of Nantacoke & Wicomick (enimies of this Prouince) who making incursions here, haue assayed & sett uppon diuers the Inhab^{ts} of this Prouince afores^d exequuting (as far as in them lay) their barbarous intentions & mischeifs. And whereas diuers insolencies, rapines, murthers, & other barbarous cruelties haue bene committed committed by the fores^d Indians, uppon diuers the Inhab^{ts} of this Prouince by the way of trade. And whereas likewise uppon satisfaction to be gyuen by the Indians afores^d the s^d Indians haue had diuers ouertures of Peace made unto them, by the late Gouverno^r who not wthstanding still persist in their wicked, & barbarous intentions towards us. By uertue of his L^{ps} Commisⁿ in th^t behalfe granted to his Gouverno^r for the time being bearing date att S^t Maries ffort Año 1647. 18th Septemb^r I doe hereby authorize Cap^t Jn^o Price to take 30 or 40 such able men, as he shall thinke fitt, & make choyce of, for th^t purpose, wth sufficient Armes, prouision, & Ammunition & them to imbarke in such Vessell or Vessells, as he the s^d Cap^t Jn^o Price shall thinke fitt & conuenient: And wth the s^d men to goe ou^r unto the Townes & Planta^ons of the Indians of Nantacoke & Wicomick afores^d lying to the Eastward of this Prouince, & then & there to imploy his uttmost endeaou^r, skill & force, by what meanes hee may, in destroying the s^d Nations, as well by Land as by water; eyther by killing them, taking them prisoners burning their howses, destroying their Corne, or by any other meanes, as (in his best discretion) he shall iudge conuenient. And I doe hereby requyre him the s^d Cap^t Jn^o Price, th^t hee make noe destribution, or diuision of any plunder, or pillage w^{soeuer} w^{ch} shall be gayned, or taken by any soldier or soldiers, during the s^d uoyage, from any the fores^d Indians,

Liber A. untill hee shall arryue att S^t Inegos ffort, & there gyuen a uist acc^t of all such plunder, or pillage afores^d to mee, or some other whom I shall appoint. And I doe further declare the s^d Cap^t Jn^o Price to be cheife Cap^t or Co^mder of all such forces, as hee shall take wth him, during the s^d service. Gyuing him the s^d Cap^t Jn^o Price full power & authority hereby, to appoint such Officer or Officers, for the good ordering & managing the s^d service intended, as hee (in his best discretion) shall iudge needfull & conuenient. Requyring all & euery one (who shall goe along wth him) to be ayding & assisting unto him the s^d Cap^t Jn^o Price vppon all occasions wthsoeu^r in the qual^{ty} of cheife Cap^t or Commander vppon payne of such punishm^t & censures to be inflicted vppon them & euery of them, as such contempt & disobedience in the iudgm^t of a Martiall Court shall deserue. Gyuen att S^t Inegos ffort under my hand & the seale of the Prouince this 4th July Año. 1647.

Signed. Tho: Greene.

To Cap^t Jn^o Price.

P. 93 The deposition of M^r Thomas Bradnox aged fowerty yeares or there abouts; taken this 11th of Septemb^r 1647:

This deponent affirmeth vppon oath: That M^r Nathaniell Pope, when he was sent as Agent from the Gouverno^r of Maryland, did as much as he could to animate the people to auoyde the Iland, and that if they would come and liue at Apomatocks, he made noe question but in shortt tyme to get strength enough to get the Country againe, and that they might insure them selues, that the tobbaeco w^{ch} he demanded of them at that tyme, he would assuredly haue: for he was a comeing vpp as soone as they returnd wth a great Company of Souldiers: And ffurther this deponent knoweth not.

sign

Thomas T Bradnox

Jurat coram me Robertus uaughan

Concordat cum
originale: Teste me
Rob^t Clarke Clk

The deposition of M^r Edward Co^mins aged about fowrty yeares or there about, taken this 11th of, Septemb: 1647:

This deponent affirmeth vppon oath: That M^r Nathaniell Pope when he came vppon the Iland, as Agent for the Gouvernor of Maryland, sayd that though the Gouvern^r made lardge promises, vnto vs, yet they should find, that there would

nothing be performed by him, but to be meere delusions, and if they did not stand trew harted one to another, they would be betrayed: And ffarther this deponent sayeth not: Liber A.

sign

Edmond \boxplus Coḿins

Jurat coram me Robertus Vaughan

Concordat com originale

Teste me Robt Clarke Clk

Sept: 15th It is this day ordered by the Gouer^r that this oath p. 86
ffollowing be administred to all persons that haue had any
hand in the late Rebellion heere, when euer they shall come
into the Prouince and that the Cap^t or Cōmander present of
the fort is hereby Authorized and required to administer the
sayd oath to all such persons coming in as aforesayd and
further the sayd Capt: or Cōmander shall take into his poses-
sion and keepe in safe Custody, wthin the ffort all such armes
and amunition as any of them shall bring wth them at thire
comeing into the Prouince, and see them safe deliuered vnto
them againe when they shall depart, the sayd Prouince. And
this as often as any of them shall come or goe from hence:

The Oath Yo^w shalbe trew and ffaythfull so long as yo^w shall
remaine in this Prouince as often as yo^w shall returne into the
same to the Right Hono^{bl} the Lo: Proprietary of this prouince
and his heires Lo^{rds} Proprietaries of this prouince and to
his Gouer^r Thomas Greene Esq^r and his lawfull substitute
or successor Gouer^r of the prouince for the tyme being:
And all Conspiraces and practises as yo^w shall know or here of
against them or any of them yo^w shall resist to yo^r power and
reueale the same to them or some person in Authority under
them. wthin 24 howers or sooner if yo^w may: And yo^w shall
not vse any meanes or perswations directly or indirectly to
draw any of the Inhabitants of this Collony to forsake the
Prouince So helpe yo^w God and the Contents of this booke.

Septm. 15th

By the Leiftenant Generall

p. 87

Wheras diuers of the Inhabitants of Appomatocks and
Chickacoon, haue seuerall suits depending in this next Court:
And that Iustice may be duly administred, to them and to all
others persons wthout danger of disturbance of the peace and
wellfare of this prouince. These are to giue notice to all per-
sons that had any hand in the late Rebellious action of this
Prouince. That they neither may or shall haue any heareing
in Court, or be admitted to stay wthin the prouince, before such

Liber A. tyme as he or they haue taken oath of ffealty, vnto the Lo: Proprietary, and his Gou^r for the tyme being, during the tyme they remayne wth in the prouince: And that the sayd oath, shall not bee understood by him or them only for this present, but shall firmly bynd hym or them in futurity so often as he or they shall haue occation to come into the prouince: And that at any tyme when they come into the prouince they shall deliuer all such armes and amunition, as they bring wth them vnto the Commander off the ffortt: w^{ch} shalbe restored to them when they depart the prouince. And that the proclamation set forth the 8th of May last (by the late Gou^r Leonard Caluert Esq^r) touching the departure of any person out of the prouince wth out leaue: the entertaynement of any stranger; or houlding Communication wth them, vntill they haue first byn at the fort of S^t Inegos &c: shall stand in full force and and Virtue vntill Christmas day next: And fforther these are straightly to prohibite and forbid all persons of this prouince what soeuer to giue any entertainment, or admitt into thire howses any of the persons aforesd: wth out first shewing a Certificate from my hand or the Capt: or Cōmander of the ffortt p^rsent there that they haue there taken oath of ffealty vnto his Lo^{ps} Vppon payne of such seure sensure as the Court shall adiudge such a Contempt to deserue. Giuen at the ffortt of S^t Inegos the 15th Septm^r 1647:

Tho: Green.

[Non-Exportation of Corn, &c.]

p. 98 Nouemb^r 8th

By the Leiften^t Gener^l

Whereas I am certainly informed, that Corne this p^rsent yeare is very much feared to be wanting, to supply the Inhabitants of this prouince. And that there is no great likelihood of any Considerable supply there of to com in ffrom abroad, but must wholly depend vppon it selfe, and that the export of any such corne is most p^riudiciall to the inhabitants thereof: These are therefore streightly to prohibite and fforbidd any persons or persons whatsoever to carry or transport any corne out of the prouince, wth out leaue first obtayned from my selfe, Vppon the paine of such seure censure as the Prouinciall Court shall adiudge such offenders to deserue: Likewise for the benefitt and p^rservation of the increase of the stock of horses now wth in the prouince, much to the advantage of his Lo^{ps} Colony, and the safety of the Inhabitants of the Proū they being so vsefull both in peace and warr, and the sd stock being as yet very smale: I doe hereby streightly prohibite and forbidd, any horses, mares, or foles to be transported out of the prouince, by any person or persons whatsoever vntill his Lo^{ps} pleasure

be further know therein: Vppon paine of such seuerer punishment as shalbe thought fitt by the prouinciall Court to be inflicted vppon all such persons, as shall doe or attempt to doe to the Contrary hereof; Assuring all such persons that I intend to take a strickt accōmt of all attempts don to the Contrary of either of these two branches, And shall looke vppon all such offenders, as vppon people ill affected to the welfare and happy subsistance of this Prouince; Giuen at S^t Inegos ffortt the 10th day of No: 1647

Liber A.

Tho: Greene:

[Pardon to Rebels.]

Loco + Sigilli Whereas sundry the Inhab^{ts} of this pro: by Instigaōn of one Rich: Ingle, haue unfortunately runne themselves into a Rebellion ag^t the L^d Prop^r of this pro: & therein haue committed diuers insolencies & robberies ag^t the Lawes of the pro: But are now returned into Obedience againe & submitted themselves to his L^{ps} gouern^t I doe hereby in his L^{ps} name by uertue of his Commisⁿ in th^t behalfe publish & graunt a grāll, absolute, & ffree Pardon unto euery & singular the Inhab^{ts} residing wthin this pro: of all crimes of Rebellion, Sedition & Plunder & of all other offences w^tsoeu^r of what nature soeu^r committed wthin this pro: ag^t the Lawes of the pro: from the 14th ffeb: 1644, unto the sixteenth day of Aprill last past. And of all Losses of life, lands, or goods & of all other penalties incurred by the s^d Offences, or any of them. And I doe further declare in his L^{ps} name, that Euery other person out of the pro: acknowledging Sorrow for his fact, & requyring Pardon, before the ffeast of S^t Michael thee Archangell next, shall haue such Pardon graunted unto him, under my hand, & the seale of the pro: Excepting Rich: Ingle Marine^r Gyū. att S^t Maries 4^o Mart: 1647

p. 147

Tho: Greene.

By the Gouern^r & Grāll of Mary-Land.

p. 157

Proclamaōn

Whereas I am gyuen to understand of the enimies being actually on foote, intending (if possibly they may) to inuade us: And considering the daunger of the pnt times, & how troublesome & inconuenient it may proue, to diuers Inhab^{ts} of this pro: & preiudiciall to the whole, to hold a Court in the beginning of June next; (especially all Causes being to be tryed by a Jury: w^{ch} will much weaken those parts from whence they come) there being noe busines of th^t consequence, or soe urgent, att this time, in the pro: to be heard & determined but

Liber A. may suffer delay. And being desyrous to provide in the best manner I may for the good & safety of the pro: These are to give notice, to all the Inhab^{ts} of St Maries County, & to all others whom it may concerne, That I have adjoined all Causes, to be tryed this next Court in the beginning of June, untill October next. Reinforcing all writts, warrants, or other processe returneable, this next Court as afores^d untill October. And all Juro^{rs} & others warned uppon Summons, bound to attend this Court, are to take notice hereof, & give their attendance att the Court to be held in the beginning of Octob^r as afore. Gyuen att St Maries this 22th May. 1648.

Tho: Greene

Liber C. B.
p. 196

The Oath of Fidelity to the Lord Proprietary

I AB do faithfully and truly acknowledge the Right Honble Cecilius Lord Baron of Baltimore to be the true and Absolute Lord and Proprietary of this Province and Country of Maryland and the Islands thereunto belonging & I do Swear that I will bear true faith unto his Lordship and to his heirs as to the true and absolute Lords and Proprietars of the said Province and Islands thereunto Belonging and will not at any time by words or Actions in publick or in private wittingly or willingly to the best of my understanding any way derogate from but will at all times as Occasion shall Require to the utmost of my Power defend and maintain all such his said Lordships and his heirs Right Title Interest Priviledges Royal Jurisdictions Pre-rogative Proprietary and Dominion over and in the said Province of Maryland and Islands thereunto belonging & Over the People who are and shall be therein for the time being as are Granted or mention'd to be Granted to his said Lordship and his heirs by the King of England in his said Lordships Pattent of the said Province under the Great Seal of England I do also swear that I will with all Expedition discover to his said Lordship or to his Lieu^t or other chief Governor of the said Province for the time being and also use my best Endeavours to prevent any Plott Conspiracy or Combination which I shall know or have Cause to suspect is or shall be intended against the Person of his said Lordship or which shall tend any ways to the disinherison or depravation of his said Lordships or his said heirs their Right Title or Royal Jurisdiction and Dominion aforesaid or any part thereof and I do swear that I will not either by myself or by any other pson or psons directly or indirectly take accept receive purchase or Possess
p. 197 any Lands Tenements or Heriditruments within the said Province of Maryland or the Islands thereunto belonging from

any Indian or Indians to any other use or uses but to the use of his said Lordship and his heirs or knowingly from any other Person or Persons not deriving a Legal Title thereunto by from or under some Grant from his said Lordship or his said heirs legally passed or to be passed under his or their Great Seal of the said Province for the time being So help me God and by the Contents of this Book Given at Bath under his Lordships hand and Greater Seal at Arms the 20th day of June 1648

Liber C. B.

By the Gou^r of Mary-Land.

Liber A.
p. 206

Nouemb^r 11th These are to giue notice to all p^rsons, to whom it may concerne th^t I doe hereby (for speciall reasons me thereunto moveing) suspend & reuoake all power & authority of Command uppon the Ile of Kent from Cap^t Rob^t Vaughan, the Cōmder of the s^d Iland, & doe acquitt & discharge all the Inhab^{ts} of the s^d Iland from their obedience formerly dew unto his Command untill they shall bee thereunto requyred againe by speciall Commisⁿ from the Gou^r of this Prouince for the time being. And I doe further hereby requyre & authorize M^r Phillip Conner, one of the Commis^{rs} of the s^d County of Kent, to issue forth all writts & processes necessary for the admistraōn of Justice in the s^d County: Binding all Parties interested ouer to the Prouinciall Cou^t, att S^t maries, there to haue tryed & determined their suites & causes, untill further order shall be taken therein; finding it necessary for the p^{nt} to suspend all further power of Judicature uppon the s^d Iland Gyuen att S^t Maries this iith Nouemb^r 1648

Thomas Greene.

By the Gouverno^r of Mary-Land.

Relying uppon yo^r faythfullnes & courage I doe hereby committ unto yo^w & adde unto yo^r office of High-Sheriffe of the County of Kent, the Command of all the Militia of the s^d County, requyring yo^w to take charge thereof: And uppon any inuasion from abroad or mutiny, insolence, or other breach of Peace att home or indaungering the publik safety of yo^r County, to encounter & suppress the same, in the best & speediest manner yo^w may: And to rayse & leuy the force of the s^d County to th^t purpose, or any part thereof, as there shall be cause. And I doe hereby requyre all p^rsons able to beare Armes wthin the s^d County, to be obedient unto yo^w uppon such paynes & perills, as the offence agst Military discipline shall deserue by the Law of Armes or censure of the Prouinciall Cou^t. Gyuen att S^t maries this iith 9^{ber} 1648

Tho: Greene.

To M^r Henry Morgan High
Sheriffe of Kent County.

Liber A.
p. 223

By the Gou^r & Grall of Mary-Land.

Locus + Sigilli Whereas a Proclamaōn was sent up to the Inhab^{ts} of the Ile of Kent (bearing date att S^t maries iith Nouemb^r) to suspend & reuoake all power & authority of Command uppon the s^d Ile of Kent from Cap^t Rob^t Vaughan Com^{der} of the s^d Iland. Wherein allso the Inhab^{ts} uppon the s^d Ile were acquitted & discharged from their Obedience dew unto him, by uertue of his Command, untill they should bee thereunto againe requyred by speciall Commisⁿ from the Gou^r of this prouince for the time being. W^{ch} s^d Proclamaōn as I am gyuen to understand hath beene published according to my order vppon the s^d Iland. And now since finding it needfull & conuenient to continue the s^d suspension no longer uppon the s^d Iland. I doe hereby giue notice to all p^{rs}ons whom it may concerne, That I doe againe nominate & appoynt him the s^d Cap^t Rob^t Vaughan to bee cheife Cap^t & Com^{der} of the s^d Ile of Kent, under mee his L^{ps} Gou^r. And to exercise all power & authority uppon the s^d Iland according to his former Commisⁿ graunted unto him from Leonard Caluert Esq^r late Gou^r bearing date att Kent 18th Aprill 1647^o. And doe againe hereby requyre the Obedience of all poeple, uppon the s^d Iland to the Command of him the s^d Cap^t Rob^t Vaughan, as fully & absolutely, as if noe such reuocāōn or suspension had bene made of his Command as afore. And further, for speciall reasons me thereunto mouing, I doe hereby suspend all power & authority from all the Assistants or Commis^{rs} ioyned wth the s^d Cap^t Rob^t Vaughan in the fores^d Commisⁿ (M^r Phillip Conner only excepted) & in their roomes doe constitute & appoynt, M^r Nicolas Browne to bee Assistant or Commis^r. Authorizing them the s^d Cap^t Rob^t Vaughan, M^r Phillip Conner, & M^r Nicolas Browne to heare & determine all Causes uppon the s^d Iland according to the Commisⁿ afore mentioned. Requyring all the Inhab^{ts} afores^d to acknowledge & obey the s^d Cap^t Rob^t Vaughan, M^r Phillip Conner, & M^r Nicolas Browne in the seuerall commands & authorities thereby committed to them, as they will answere the contrary att their perills. Gyuen att S^t maries this iith Decemb^r 1648.

Thomas Greene

CECILIOUS CALVERT, LORD BALTIMORE,

Proprietary.

WILLIAM STONE,

Governor.

1648-1655.

A Commission from the Lord Proprietary
Constituting William Stone Esq^r his Lieu-
tenant &c^a of Maryland

Liber C. B.
p. 168

Cecilius Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore &c^a to all the Inhabitants and People in Maryland and to all others whom these presents shall Come and any ways Concern Greeting Know yee that we for divers especial Causes and Considerations us thereunto moving have revoked and determined & by these presents do declare that We do hereby revoke & absolutely determine all former Commissions heretofore Granted unto our dear Brother Leonard Calvert Esq^r late Governor of Maryland deceased or to any other Person or Persons whatsoever concerning the Government of the said Province of Maryland & all Power and Authority by us thereby Granted unto him or them or to any other of our Council or to any other person or persons whatsoever in or by the said p. 169 Commissions or any of them and also all Power heretofore Given to our said Brother or any other Person or Persons by the said Commissions or any of them or otherwise of enacting or Assenting unto any Laws or Ordinances in our name within our said Province of Maryland and we do likewise hereby discharge all and every Person and Persons whatsoever from our Council and to be of our Council within the said Province of Maryland which heretofore have been of our Council there nevertheless considering and well knowing that the People there cannot subsist and Continue in peace and safety without some good Government to be ordain'd and established as well for the cherishing of the Vertuous and Orderly as for the punishment of the Lewd and disorderly Persons there and whereas our trusty and well Beloved William Stone now or late of Northampton County in Virginia Esq^r hath undertaken in some short time to procure five hundred People of British or Irish discent to Come from other places and plant and reside within our said province of Maryland for the advancement of our Colony there and being Confident of his Wisdom Fidelity Industry Integrity and other Virtues which Render him Capable and worthy of the Trust hereby by us intended to be reposed in him have nominated Constituted ordained authorised and established and by these presents do Nominate Con-

Liber C. B. stitute Ordain authorise and establish the said William Stone our Lieutenant chief Governor General Admiral Marshall chief Captain and Commander as well by Sea as by Land of our said Province of Maryl^d and the Islands to the same belonging and by these presents do Grant unto him the chief Commandm^t and absolute Authority under us above and in all matters of warfare by Sea and Land to execute and administer

p. 163 the same to the resistance of the enemies or supression mutinies and insolencies as our said Lieutenant shall think most Commodious for the preservation of our said Province and our rights and dominion there and to do all such things as do belong or appertain to the Office of a Lieutenant General Chief Governor General Admiral Marshall Admiral chief Captain or Commander under us of the said Province of Maryland in as large and ample manner to all intents and purposes (except hereafter excepted) as we our self might do if we were personally present to have hold execute and administer the same with such and as ample Power and Authority as if we were personally pres^t to have hold execute and Administer the same with such and as ample Power and Authority as if We were personally present might do or execute the same (except hereafter excepted) until We or Our Heirs shall signify Our or their pleasure to the Contrary and we do hereby further Ordain and Command all such as shall hereafter be sworn of our Council within our said Province of Maryland all Commanders Captains Officers and Soldiers as well by Sea as by Land whom it doth or may Concern all our Officers Receivors Bailiffs Marshalls and all other Persons whatsoever within our said Province of Maryland of what quality and Condition soever they be that they and every of them do acknowledge the said William Stone in the quality of our Lieu^t Chief Governor General Admiral chief Captain and Commander under us over all our said Province of Maryl^d and the Islands and members of the same and do Honour Respect and Obey him as they ought to do upon pain of such punishment to be inflicted upon them and every of them as such a high Contempt of disobedience & Neglect shall deserve and to the end no person within our said Province of Maryland shall pretend ignorance hereof we do Command that this our Commission and Ordinance be be proclaimed and published within our said

p. 169 Province at the Places accustomed to proclaim and publish our edicts and Ordinances Commanding him our said Lieutenant to proceed to punish all Contemners and neglectors of the same in such strict and severe manner as we our self might do if we were there personally present and that without favour or Connivance and we do further by these presents make Constitute Ordain & establish the said William Stone to be our

Chancellor chief Justice and Chief Magistrate within our said Province until we or our heirs shall signify our or there pleasure to the Contrary and do hereby Give him Power from time to time to appoint and Constitute Officers and Ministers excepting Councillors & such other Officers as shall be from time to time immediately appointed by Commission or warrant from us under our hand and Seal at Arms for the Administration and execution of Justice and for doing and executing of all other things whatsoever which doth belong to the establishment and Government of a Good and happy Commonwealth within our said Prov^e and the preservation of our rights and dominion there and do further by these presents Grant unto him our said Lieu^t Chancellor chief Justice and Chief Magistrate full and Absolute Power and Authority when and as often as he shall think fit to call and summon in our name from time to time one or more General Assembly or Assemblies of our freemen of our said Province of Maryland or their Deputy or Deputies at such Place or Places within our said province as he shall think fit for the enacting of wholesom Laws and Ordinances for the Government and well Ordering of the said Province and People within the same to which Purpose I do hereby Grant full Power and Authority into our said Lieu^t from time to time in such General Assembly to be so summoned by him in the said province of Maryland in our name stead and place to enact and assent unto such Laws and Ordinances as he our said Lieutenant shall think fit and necessary for the Good Government of our said Province of Maryland and which shall be Consented to and Approved of by our freemen of our said province or the major part of them or their deputies to be assembled by him our said Lieutenant there from time to time for the enact^s of Laws within that Province as aforesaid provided that the said Laws so to be enacted and Assented to by him our said Lieutenant there in our name be as near as conveniently may be agreable and not Repugnant or Contrary to the Laws of England and that every one of the said Laws so to be enacted and Assented unto in our name be to Continue in force till we or our heirs shall signify our or their disassent thereunto under our or their hand and seal & no Longer Provided also that our said Lieutenant do not in our name or otherwise enact or assent unto the Repeal of any Law or Laws already enacted or which shall be from time to time hereafter enacted in our said Prov^e of Maryland by us or in our name with the Consent and Approbation of our said Freemen or the Major part of them or their Deputies nor unto any Law or Laws for the Constitution Confirmation alteration or change of any Officer or Officers within the said Province or which shall impose any fine forfeiture or Confiscation to any

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Liber C. B. other use or uses then to the use of us and our heirs Lords
 and Proprietaries of our said Province of Maryland or to any
 Law or Laws which may any way Concern matters of Religion
 Constitution of Parishes within our said Prov^e Payment of
 Tithes oaths to be imposed or taken by any of the people
 p. 173 which are or shall be from time to time in our said province of
 Maryland treasons matter of Judicature or any matter or thing
 which may any way Infring or Prejudice any of Our rights
 Prerogatives or Royal jurisdictions and Dominion over or in
 the said Province of Maryland without further and special
 warrant from time to time under our hand and Seal at Arms
 first had and Obtain'd and published to a General Assembly of
 the Freemen of our said Prov^e or their deputies and to be kept
 from time to time among the Records of the said Assembly
 there every of which Laws so to be assented unto and enacted
 by him our said Lieutenant there in our name not any way
 intrenching upon or Infringing any of the Provisoos above
 mentioned and Consented unto and Approved by our said
 freemen or their deputies or the Major part of them in such
 manner as aforesaid and not otherwise we do hereby declare
 shall be in force within our said Province but if we or our heirs
 shall signify our or their dissassent thereunto under our or
 their hand and Seal at Arms and no Longer excepting such
 Laws as we have or shall think fit to Confirm by our special and
 immediate Assent thereunto declared or to be declared under
 our hand and seal at Arms which Laws so already Confirmed
 which shall be so Confirmed from time to time by our
 special Assent as aforesaid and agreed unto from time to time
 by our said freemen or their deputies or the Major part of
 them we declare shall be perpetual and we do by these pres^{ts}
 Grant full power and Authority unto our said Lieutenant to
 Adjourn Prorogue or dissolve all & every such Assembly or
 Assemblys heretofore Called or hereafter by him to be Called
 at his Pleasure and forasmuch as the Calling of a General
 Assembly of our said freemen and the Consulting about and
 enacting of Laws will require long time and much Consultation
 and many times sudden and other necessary Occasions may
 p. 174 happen or or fall out which require a speedy Remedy we do
 therefore hereby Grant unto him our said Lieutenant full
 Power and Authority from time to time to make Constitute
 Ordain & Publish in our name such Reasonable and profitable
 Ordinances Edicts and Proclamations within our said Province
 of Maryland with reasonable pains and penalties therein to be
 expressed to be duly inflicted on all Offendors against the same
 as he our said Lieutenant in his discretion shall think fit pro-
 vided that such Penalties do not extend to the taking away of the
 right or Interest of any Person or Persons of or in their life mem-

bers Freehold Goods or Chattels nor be Repugnant or Contrary Liber C. B.
but agreable as near as may be to the Laws established within
the Realm of England and to the Laws and Ordinances estab-
lished or to be established within our said Province of Maryl^d
all which edicts and Proclamations shall stand in force only,
until we or our heirs shall signify the Contrary under our or
their hand and seal to our Lieutenant for the time being and
the People there or that our Lieutenant there for the time
being shall in his discretion think fit to Repeal the same and
further we do hereby Grant full power and Authority unto him
our said Lieutenant to appoint from time fit Places for publick
Ports for Lading Ships Unlading and discharging of all Goods
and merchandizes to be imported or exported into or out of
Our said Province of Maryland and to Appoint Officers and
Ministers in the same places and ports and also to Erect and
Establish convenient places for the holding and keeping of
fairs and markets and to establish fairs and markets to be
there held upon Certain days for that purpose to be by him
appointed and we do further by these presents grant full
Power and Authority unto him our said Lieutenant during the p. 175
time of his being our Lieutenant there to Pardon and Remit if
he see Cause in part or in the whole all pains Forfeitures or
Penalties which any Person or Persons within Our said Pro-
vince shall incur for any Crime misdemeanor or Offence
against any the Laws Ordinances or Orders whatsoever made
or to be made for the Good Government of our said Province
and to Grant pardons for all and every such delinquents in
our name and under our Great Seal of our said Province so
as such Pardon or Pardons extend not to the Pardoning of
William Claybourn heretofore of the Isle of Kent in our said
Province of Maryland and now or late of Virginia or of his
Complices in their late Rebellion against our rights and
Dominion in and over the said Province nor of Richard Ingle
nor John Durford Mariners nor of any other Person or Persons
whom we shall hereafter at any time think fit to except from
Pardon by any Act under our hand and Seal and
signified to our Lieutenant before he have Granted any Pardon
to such Person or Persons under our Great Seal there and
further we do by these presents Commit the Custody and
keeping of our Great Seal of our said Province of Maryland
unto him our said Lieutenant and we do hereby further Grant
unto him our said Lieutenant Power and Authority for us and
in our name to pass and Grant under the same our Great Seal
all Writts and Protests all Commissions for the execution of
Iustice and for dividing and Bounding of Lands all Pardons
Licenses and other publick acts and deeds whatsoever which
shall at any time Pass within our said province and we do

Liber C. B. further hereby Grant full power and Authority unto him Our said Lieu^t for us and in our name to pass and Grant under our said Great Seal to such person or persons such proportions
 p. 176 and Quantities of Land within our said Province for such Estate and Interest and with such priviledges and immunities as we shall from time to time Give him our said Lieutenant warrant for under our hand and Seal at Arms and not otherwise all which Grants to be made passed or Granted after the same Grants and the said Warrants under our hand and Seal at Arms for the passing hereof shall be recorded or Registered by our Secretary of our said Province for the time being and after that our said Secretary shall have Certified under his hand upon the Backside of every such Grant that the said Grant & the s^d Warrant under our hand and Seal at Arms for the passing thereof are recorded and Registered and that the Grantee or Grantees have performd our last Conditions of Plantation dated the 20th day of Iune last past if the Grant be passed by Virtue thereof concerning the transportation of so many persons into our said Province as is required by the said Conditions for such a Grant and also have taken the Oath of Fidelity to us and our heirs Lords and Proprietaries of the said Province of Maryland mentioned in the said last Conditions of Plantation and also that our Surveyor General there for the time being or his Sufficient deputy shall have likewise Certified under his hand on the backside of every such Grant that the said Land therein mentioned hath been truly Surveyed and Contains no more in quantity then it ought to do by warrant from us and after the Grant shall be also testified by our said Lieutenant subscribing his name thereto we do hereby declare shall be effectual in Law & not before against us and our heirs and shall bind us & our heirs as firmly as if Livery and Seizen had been Given and Executed thereupon and we do will and Require Our said Lieutenant to
 p. 177 advise as there shall be Cause with those who shall from time to time by immediate Commission or Warrant from us under our hand and Seal at Arms be of our Council there for the time being upon all Occasions concerning the Good Government of our said Province of Maryland and of the People there and we do further hereby Grant full Power and Authority unto our said Lieutenant and unto our said Council for the time being who shall from time to time be then present in Court or the Major part of them whereof he our said Lieutenant or his deputy being also of our s^d Council to be always one and to have a Casting Vote to enquire hear & finally to Judge of and upon all Causes Criminall and Civill whatsoever of what Nature kind quality degree and Condition soever the same shall be which may happen within our said Province of Mary-

land according to the Laws from time to time in force of and in the said Province and in default thereof according to his and their best discretion as fully and absolutely as we our self might do if we were personally present to Give sentence or judgment of or in or upon the same and to award execution upon every such Sentence or Iudgment all & every which powers and Authorities above mentioned we do hereby grant unto our said Lieutenant William Stone and our said Council till we or our heirs shall signify our or their pleasure to the Contrary and no Longer and lastly whereas our said Lieutenant may happen to die or upon some urgent Occasion to be absent from time to time out of our said Province of Maryland before we can have notice to depute another in his place we do therefore Grant unto him our said Lieutenant full power and Authority from time to time in such Cases to Nominate elect and appoint some one of our Council there or in default thereof some other able Person inhabiting and Residing within our said Province of Maryland as he in his discretion shall make Choice of & think fit to be our Lieutenant General Chancellor Keeper of our Great Seal there Admiral Chief Justice Magistrate and Commander as well by Sea as by Land of our said province of Maryland and of the Islands to the same belonging during such absence of him our said Lieu^t out of the said Province or until we or our heirs signify our Pleasure to the Contrary in as large and as ample manner as we have by these presents authorised him our said Lieutenant to Govern for the present and in case our said Lieutenant shall happen to die or be absent out of our said Province of Maryland and shall fail to make Choice of Nominate and Appoint some Person to be our Lieu^t General Chancellor Keeper of our Great Seal Admiral Chief Captain Magistrate and Commander of our said Province of Maryland as well by Sea as by Land we do hereby Grant unto our Councillors there for the time being or the Greater part of them full Power & Authority from time to time in every such Case to Nominate elect and appoint such an able Person which shall then be of our Council there and Inhabiting and residing within our said Province of Maryland as they or the Greater part of them shall make choice of and think fit to be our Lieu^t General Chancellor Admiral chief Governor Captain Magistrate & Commander as well by Sea as by Land of our said Province of Maryland and of the Islands to the same belonging which Person so to be chosen and Appointed in any of the Cases aforesaid either by the Nominating and election of him the said William Stone our present Lieutenant or of our Council as a^l we do hereby declare shall be our Lieutenant General Chancellor Keeper of our Great Seal Admiral Chief Governor Cap^t and Commander of the said

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Liber C. B. Province of Maryland during such absence or in Case of death of our said Lieutenant W^m Stone out of our said Province or until we or our heirs shall signify our or their pleasure to the Contrary and no Longer to which Lieu^t General Chancellor Keeper of Our Great Seal Admiral Chief Governor Captain Magistrate and Commander so to be elected nominated and appointed as aforesaid we do hereby Grant the like Power and Authority in all Causes and things as we have by these presents above Granted unto the said William Stone and no otherways until we or our heirs shall signify our or their pleasure to the Contrary and no Longer hereby Commanding our Councillors Commanders Captains Soldiers & Officers for the time being and the People of the said Prov^e of Maryland and all others whom it may Concern to be Obedient unto him in all things matters and Causes as We have in and by these presents Commanded them to be Obedient to the said William Stone our present Lieutenant Gen^l Chancellor Keeper of the Great Seal Admiral chief Governor Captain Magistrate and Commander upon pain of such Punishment to be inflicted upon them and every of them as such a high Contempt shall deserve provided always that before the said William Stone or any other in the Cases of his death or absence above mentioned shall take upon them or any of them any of the said Offices hereby Granted to the said William Stone or execute any of them or any of the Powers and Authorities Granted by these presents to the said William Stone they and every of them especially the said William Stone shall take the Oath intituled the Oath of the Lieutenant or chief Governor of the Province of Mary^ld

p. 180 Signed with our hand and hereunto annexed to be to be administered unto the said William Stone & Every of them upon the holy Evangelist by our secretary of the said Province for the time being in open Court or in his Absence by two of our Council there for the time being whom we do hereby authorise to administer the same accordingly and because some other able Persons may go and reside within our said province of Maryland before we can have notice thereof who may be fit to be of our Council for the better Assistance of our said Lieutenant in the Government there and whose names we cannot therefore put for the present in our Commission under our hand and seal at Arms and sent herewith for the Appointment of such to be of our Council within the said province as are nominated in our said Commission therefore we do hereby Grant Power and Authority to our said Lieutenant William Stone within twelve months after the date hereof to Nominate two or three such able and faithful Persons over and above those who shall be nominated by our said Commission to be of our Council in our said Province every of whom we do hereby appoint to be of

Our Council there to all intents and purposes and to have the like Powers and Authoritys as if they and Every of them had been nominated in our said Commission for our said Council or by any other particular warrant under our hand and seal at Arms for that Purpose and so To Continue till we or our heirs have notice thereof and shall think fit to discharge again them or any of them respectively by any warrant or writing under our or our said heirs hand and Seal at Arms from being of our or their Council there any Longer any thing herein Contain'd to the Contrary notwithstanding provided nevertheless that every one of the said Persons so to be nominated by the said William Stone to be of our Council there as afores^d shall respectively take in open Court within our said Province the same Oath of a Councillor to us and in the same manner as we have appointed it to be taken by the rest of our Council in our said Province before he shall be admitted to be of our Council there which Oath shall be administred unto every such Person by our Secretary there for the time being unto whom we do by these Presents give Power and Authority to administer the same accordingly Given under our hand and Great Seal at Arms at Bath the sixth day of August in the seventeenth year of our dominion over our Province of Maryland Annoq Dom 1648

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The Oath of the Lieutenant or
chief Governor of the Province of
Maryland

I AB do swear that I will be true and faithful to the right honourable Cecilius Lord Baron of Baltimore the true and absolute Lord and Proprietary of this Province of Mary^ld and his heirs and him and them and his and their rights Royal Jurisdiction and Seigniori all and every of them in to and over the said Province and Islands thereunto belonging will at all times defend and maintain to the utmost of my Power and will never accept of nor execute any Place Office or Employment within the said Province any way Concerning or relating to the Government of the said Prov^e from any Person or Authority but by from or under a lawful Authority deriv'd or to be deriv'd from time to time under the hand and seal at Arms of his said Lordship or his heirs and Assigns Lords and Proprietaries of the said Province I will faithfully serve his said Lordship as his Lieutenant of the said Province and in all other Offices Committed to my Charge by his said Lordships Commission or Commissions to me and will willingly yield up the said Commission & Commissions again and all Offices Powers and Authorities Granted or to be Granted by them or any of

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Liber C. B. them into the hands of his said Lordship and his heirs and Assigns or to such Person or Persons as he or they shall appoint whensoever he or they shall appoint me so to do and shall signify the same unto me in any writing under his or their hand and Seal at Arms and will not presume to put in execution or attempt to execute any office Power or Authority Granted unto me by any of the said Commission or Commissions after that his said Lordship or his heirs or Assigns Lords & Proprietaries of the said province shall Repeal them or any of them respectively by any writing under his or their respective hand and seal at Arms and that the said Repeal be published within this Province I will do equal right and Justice to the Poor and to the rich within the said Province to my best Skill Judgment and Power according to the Laws and Ordinances of the said Provinces and in default thereof according to my Conscience and best discretion and the Power Granted or to be Granted to me by his said Lordships Commission or Commissions I will not for fear favour Affection or any other Cause let hinder or Delay Justice to any but shall truly execute the said Office and Offices Respectively according to his said Lordships Commissions to me in that Behalf and to the true Intent & meaning thereof and not otherwise to the best of my understanding and Judgment I will not know of any attempt against his said Lordships Person or his Right or Dominion into or over the said Province
p. 183 and the People therein but I will prevent resist and oppose it with the utmost of my Power and make the same known with all Convenient speed to his said Lordship and I will in all things from time to time as occasion shall require faithfully Council and Advise his said Lordship according to my heart and Conscience and do further swear that I will not by my self nor any Person directly or indirectly trouble molest or discountenance any Person whatsoever in the said Province professing to believe in Iesus Christ and in particular no Roman Catholick for or in respect of his or her Religion nor in his or her free exercise thereof within the said Province so as they be not unfaithful to his said Lordship or molest or Conspire against the Civil Government Established here under him nor will I make any difference of Persons in Conferring of Offices Rewards or Favours proceeding from the Authority which his said Lordship hath conferred upon me as his Lieu^t here for in Respect of their s^d Religion Respectively but mearly as I shall find them faithful and well deserving of his said Lordship and to the best of my understanding endowed with moral Virtues and abilities fitting for such Rewards Offices or favours wherein my prime aim and end from time to time shall sincerely be the Advancement of his said Lordships service here and the publick unity and Good of the Province without Partiality to any or any

other sinister end whatsoever and if any other Officer or Person
whatsoever shall during the time of my being his said Lord-
ships Lieutenant here without my Consent or Privy molest or
disturb any Person within this Province professing to believe in
Iesus Christ meerly for or in Respect of his or her Religion or
the free exercise thereof upon notice or Complaint thereof
made unto me I will apply my Power and Authority to Relieve
and Protect any Person so molested or troubled whereby he
may have right done him for any damage which he shall suffer
in that kind & to the utmost of my power will Cause all and
every such person or persons as shall molest or trouble any
other Person or Persons in that manner to be punished I will
faithfully serve his Lordship as his Chancellor and Keeper of
his Great Seal of this Province Committed to my Charge &
Custody by his said Lordships Commission to me to the best
of my Skill and understanding I will Cause the impression in
Wax of the said Seal to be affixed to all such things as I have
or shall from time to time Receive Commission or warrant for
so doing from his said Lordship under his hand and Seal at
Arms and that it shall not be Affixed to any other Writing or
thing whatsoever directly or indirectly with my Privy
Consent or knowledge I will do my best endeavour Carefully
to preserve the said Great Seal in my Custody so long as it
shall please his said Lordship to Continue me in the charge
and keeping thereof to the end that it may not be lost stollen
or unlawfully taken from me and whereby any other person
may affix the Impression thereof unto any writing or thing
whatsoever without Authority for so doing lawfully derived or
to be derived from by or under a Commission or warrant under
his said Lordships hand and seal at Arms and that I will truly
and faithfully deliver up again the said Great Seal into the
hands of such Person or Persons as his said Lordship or his
heirs shall appoint when his or there pleasure for that purpose
shall be Signified unto me under his or their hand and Seal at
Arms So help me God and by the Contents of this Book.

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Commission of the Council of
State in Maryland/

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Cecilius Absolute Lord and Proprietary of the Provinces of
Maryland and Avalon Lord Baron of Baltimore &c^a to our
trusty and well Beloved Thomas Greene Esq^r Cap^t John Price
Thomas Hatton our Secretary John Pile & Cap^t Robert
Vaughan Gent Greeting Know yee that we reposing Special
trust and Confidence in your Wisdoms diligence and Experi-
ence have assigned and Appointed you jointly & Every of you
severally to be of our privy Council of State within our said

Liber C. B. Province of Maryland and we do hereby Give unto you and every of you full Power and Authority from time to time and at all times until we or our heirs shall signify our or their Pleasure to the Contrary to assemble and meet together with our Lieutenant or chief Governor of our said Province for the time being when and where he shall from time to time direct and appoint to treat Consult deliberate and advise of all matters Causes and things which shall be discovered unto you or be brought before you as well Concerning the quiet Government and regulating of the people there as for the Good
p. 198 and safety of our said Province of Maryland and for the better and more peaceable Govern^t of our said Province of Maryland we do hereby assign & Appoint you and every of you until we or our heirs shall signify our or their pleasure to the Contrary to be our Justice and Justices Commissioner and Commissioners for Conservation of the peace within our said Province of Mary^l and do hereby Grant unto you and every of you in Case any Breach of Peace shall happen within your any or either of your views or in case you shall be inform^d of any Breach of the Peace full Power and Authority to arrest or call before you by your warrant in our name to be directed to the Sheriffs Constables or other Officers of Counties Towns Villages and other Places within our said Province of Maryland all and every the Offendor and Offendors against our Peace and if you see Cause to bind over the Offendor or Offendors with a Good Surety or Sureties to appear before our Lieutenant or chief Governor and Council there to Answer the same and in the mean time to keep the Peace or be of the Good Behaviour as the Case shall Require and in default of such Surety or Sureties to be by such Offendor or Offendors tendered unto You to Commit the Offendor or Offendors to the Common Goal or next Prison within the said Prov^e as to you shall seem fit there to Remain until they shall find good Surety or Sureties as aforesaid or until he or she or they shall be delivered by our Lieutenant and chief Governor and the Council of our said Province or the Greater Part of them whereof our Lieutenant or chief Governor for the time being to be one, and we do hereby further Grant unto you and every of you full Power and Authority to Attach Arrest or by your
p. 199 warrants to Cause to be arrested and attached in our name and to bring to due Punishment any Offendor or Offendors in Weights or Measures all Forestallors of Marketts Regrators Ingrossers Extortioners Rioters and other Offendors against the publick welfare and peace of the Province of Maryland and we do hereby Command all our Sheriffs Officers and Ministers whatsoever that they and every of them be Obedient unto our said Councillors and Commissioners and every of you in all

things as becometh Provided always that every one of you the said Thomas Greene Esq^r Captain Iohn Price Thomas Hatton Iohn Pile and Robert Vaughan nominated herein to be of our Council of our said Province do take the Oath hereunto annexed intituled the Oath of a Councillor of State in Maryland before any of you Respectively who shall not have taken the said Oath do presume to put in Execution any of the Powers and Authorities hereby or by any other Commission Granted by us unto you as Councillors or Conservators of the Peace in our said Province or be admitted of our Council there any thing herein or in any other Commission of ours to the Contrary notwithstanding which said Oath shall be Administred unto you and every of you respectively upon the holy Evangelists by our Lieu^t or chief Governor of our said Province for the time being whom we do hereby Authorise and Require to Administer the same Accordingly Given under our Hand & Greater Seal at Arms the twelfth day of August in the 17th Year of our Dominion over our said province Annoq Dni 1648

Liber C. B.

The Oath of a Councillor of State in Maryland

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I AB do swear that I will be true and faithful unto unto the Right honble Cecilius Lord Baron of Baltimore the true and Absolute Lord and Proprietary of this province of Maryland and his heirs and him and them and his and their rights Royal Jurisdictions & Seignory all & every of them in to and over the said Province and Islands thereunto belonging will at all times defend and maintain to the utmost of my Power and will never accept of nor execute any Place Office or Employment within the said Province any way Concerning or Relating to the Government of the said Province from any Person or Authority but by from or under a Lawful Authority derived or to be derived from time to time from his said Lordship or his heirs Lords and Proprietaries of the said Province under his or their hand and seal at Arms the Peace and Welfare of the People of this Prov^e I will ever procure as far as I can I will aid and assist the administring and execution of Justice in all things to my Power to none will I delay or deny Right for fear favour or Affection I will to my best Skill and according to my heart and Conscience give good and faithful Council to the said Lord and Proprietary and his heirs and to his and their Lieutenant or Chief Governor of this Province for the time being when thereunto I shall be Called I will keep Secret all matters committed or revealed unto me or which shall be moved or debated Secretly in Council and faithfully declare my mind and opinion therein according to my heart and Conscience and if any of the said Treaties or Councils shall touch any of the Privy Coun-

Liber C. B. cillors of this Province I will not reveal the same unto him so touched or Concerned but will keep the same secret until such time as by Consent of the Lord Proprietary or his Lieutenant or chief Governor here for the time being Publication shall be made thereof I will also as a Councillor and as a Justice and Commissioner for Conservation of the Peace of this Province do equal Right unto the Poor and to the rich to the best of my understanding and judgment according to the Laws from time to time in Force within this Province and in default thereof according to my best discretion and Generally in all things will do as a faithful Councillor to the said Lord Proprietor and I do further swear that I will not by my self nor any other Person directly or Indirectly trouble molest or discountenance any Person whatsoever in the said Province professing to Believe in Iesus Christ and in particular no Roman Catholick for or in Respect of his or her Religion nor in his or her free exercise thereof within the said Province so as they be not unfaithful to his said Ldshp nor molest or Conspire against the Civil Government established here under him So help me God and by the Contents of this Book.

Commission for the Great Seal

Cecilius Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c^a to our trusty and well Beloved Lieut and Council of our said Province of Maryland to all the Inhabitants of the same and all others whom it may Concern Greeting whereas our Great Seal of the said Province of Maryland was Treacherously and Violently taken away from thence by Richard Ingle or his Complices in or about february Anno Domini One thousand six hundred and fourty & four and hath been ever since so disposed of as it cannot be recovered again for us we do therefore hereby protest against all and every act and things whatsoever which hath been Sealed therewith since the fourteenth of Feby Anno Domini One thousand six hundred fourty and four or which shall at any time hereafter be Sealed therewith as unlawful and not done by any Legal Authority from us and we do hereby declare all and every the said Acts and things unlawful and Null but because it is necessary for the better Government of our said Province and Satisfaction of the People there to have a Seal of ours Constantly remaining in the said Province and appropriated thereunto and known to be our Great Seal of the same whereby divers publick Acts and Grants of Lands within the said Province may be ratified and Confirmed according to such directions Instructions Commissions or warrants as we have or shall from time to time give under our hand and seal

at Arms for that purpose therefore we have provided another Liber C. B.
new Seal for our said Province in the Room and Place of the
other which was so taken away from thence as aforesaid which
new Seal we have Committed to the Custody of Captain William
Stone whom we have Constituted as well our Chancellor and
Keeper of the same as our Lieutenant of the said Province till
we or our heirs shall signify our Pleasure to the Contrary the
manner & form of the s^d new Seal being this (viz^t) on the one
side thereof is ingraven our Figure in Compleat Armour on
Horse Back with our Sword drawn and our Helmett on and a
Great Plume of Feathers affixed to it the Horsetrappings fur-
niture and Caparisons being adorn'd with the figure of our
Paternal Coat of Arms and underneath the Horse a Sea Shoar
engraven with Certain Flowers and Grass Growing upon it
and this Inscription about that Side of the Seal (viz^t) Cecilius
Absolutus Dm̄s Terrae Mariae et Avaloniae Baro de Baltimore
and on the other or Counterside of the said Seal is engraven
a Scutcheon wherein our Paternal Coat of Arms to wit six
pieces impaled with a Bend dexter Counterchanged quartered
with another Coat of Arms belonging to our Family viz^t a Cross
Buttoned at each end (and also counterchanged) are engraven
the whole Scutcheon being Supported with a Fisherman on the p. 203
one Side and a Plowman on the other standing upon a Scrowl
wherein is engraven the motto of our Paternal Court of Arms
viz^t ffatti Maschij Parole Femine next above the Scutcheon is
engraven a Count Palatines Cap and over that a Helmet with
the Crest of our Paternal Court of Arms on the Top of it which
Crest is a Ducal Crown with two half Bannerets set upright in
it Behind the said Scutcheon and Supporters is engraven a large
mantle and this inscription is about that side of the Seal viz^t
Scuto bonæ Voluntatis tuæ Coronasti nos the figure of the
Seal is round and it is of the same Bigness that our said former
Great Seal was and cut in Silver as the other was the impression
of all which in wax is hereunto affixed it being somewhat differ-
ent (though but little) from our said former Great Seal of the
said Province and we do hereby declare the said new Seal to
be from henceforwards our Great Seal of the said Province of
Maryland and that we will have it so to be esteemed and reputed
there till we or our heirs shall signify our or their Pleasure to
the Contrary Given at Bath under our hand and our said new
Great Seal of the said Province the 12th day of August in the
17th Year of our Dominion over the said Prov^e of Maryland
Annoq Dni 1648

Commission for Muster Master
General

Cecilius Lord Proprietor &c^a to our trusty and well Beloved
John Price we Considering that Arms without the knowledge

Liber C. B. of the use of them are Fruitless and having an especial care of the safety and preservation of that our Province of Maryl^d have thought fit and necessary that the Inhabitants thereof should be from time to time exercised and trained in the use of Arms
 p. 204 that so if Occasion should Require they may be the more ready and able to defend as well themselves as us & our rights there and offend their and our Enemies and we having had Good experience of your Knowledge and Great Abilities in Marshall Affairs and of your Great Fidelity unto us in that Occasion of the late insurrection and Rebellion in our said Province which was begun there by that Notorious Villain Richard Ingle and his Complices against our dear Brother Leonard Calvert Esq^r decd our late Lieuten^t of the same and therein against us and our undoubted Rights and title there wherein and in divers other worthy Actions you have manifested unto us and our Colony there such singular Fidelity Courage Wisdom industry and integrety as render you Worthy and Capable of the trust hereby intended by us to be Reposed in you wherefore we do by these presents Constitute Ordain and Appoint you to be our Muster Master General of that our Province of Maryland to have and to hold the said Office of Muster Master General of our said Province of Maryland with as ample Fees Vails Regards Profits Commodities immunities and Priviledges as any Muster Master General of our said Province hath or Ought to have had in regard of his said Office or as any Muster Master in Virginia of right now hath or enjoyeth or ought of right to have or enjoy by virtue of his said Office till we or our heirs shall signify the Contrary under our or their hand and seal at Arms Given under our hand and Greater Seal at Arms at Bath the 12th day of August in the 17th Year of our Dominion over the said Province of Maryland Annoq. Dni 1648

Commission for Commander of the
Isle of Kent

p. 205 Cecilius Lord Proprietor &c^a to our trusty and well Beloved Robert Vaughan Gent whereas we have found you very faithful and well deserving of us upon the Occasion and insurrection and Rebellion in our said Province of Maryland Begun and Fomented by that Notorious and ungrateful Villain Richard Ingle and his Complices against our dear Brother Leonard Calvert Esq^r deceased our late Governor of the said Province and our undoubted right and title to the Governm^t of the same wherein you have manifested to the satisfaction of us and our Colony there such Fidelity Courage Wisdom Industry and Integrety as Render you Capable and worthy of the Trust here-

by by us intended to be reposed in you wherefore we do by these presents authorize Constitute and appoint you to be Commander of the Island of Kent within our said Prov^e and the Inhabitants thereof and do Grant unto you all such fees Perquisites and Profits as are belonging to the said Place and Office of Commander of the said Island to have and to hold the said place and Office and Fees Perquisites and Profits aforesaid till we or our heirs shall signify our or their Pleasure to the Contrary under our or their hand and Seal at Arms and we do further Grant hereby unto you full Power and Authority to elect and choose any six or more able and Sufficient men Inhabitants of the said Island as you in your discretion shall think fit with whom you shall advise and Consult in all matters of importance whom we do do appoint shall be Authorised Commissioners for that purpose under the Great Seal of our said Province and to call a Court or Courts as often as there shall be Cause and in the said Courts to award in our name all manner of process hold pleas and finally to hear and determine all Causes and Actions whatsoever civil hapning and Arising between any the Inhabitants of the said Island not exceeding in damage or demands the Value of ten pounds Sterling as also to hear and finally to determine all matters and Offences whatsoever Criminall happening and Committed within the said Island which may be heard and determined by any Iustice of the peace in England in their Courts of Session not extending to Life or Member and we do further Authorise you to do use and execute all and all manner of Jurisdiction and Authority whatsoever for the Conservation of the Peace within the said Island as any Justice of Peace in England may or ought to do by Virtue of his Commission for the Peace & further to elect and appoint all necessary Officers for the execution of Justice and Conservation of the peace there with Allowance of such fees as are usually belonging to the same or the like Officers in Virginia and to do all other things and Acts which shall be necessary for the execution of the Power and Jurisdiction hereby Committed unto you Given under our hand and Greater Seal at Arms at Bath the 12th day of August in the 17th Year of our Dominion over the said Province of Maryland Annoq Dñi 1648

Liber C. B.

p. 206

Commission for Secretary in
Maryland

Cecilius Absolute Lord and Proprietor &c^a Know yee that we reposing special trust and Confidence in the Wisdom diligence and fidelity of our trusty and well Beloved Thomas Hatton Gent have Constituted appointed and Ordained and

Liber C. B. by these Presents do Constitute appoint and Ordain him the said Thomas Hatton to be our Secretary of our said Province of Maryland and we do by these presents appoint Constitute and Ordain the said Thomas Hatton as well to be our Principal Officer and Keeper of the Acts and Proceedings of us and of
 p. 207 our Lieutenant General & and Council there for the time being and of and for the entring and Recording of all Grants by us or our heirs to be made of any Lands or Offices within our said Province of Maryland and for the Probates entring and Recording of Wills and Inventories and Granting of Letters of Administration and for the entring and Recording of all other matters Acts and things which by any Instructions Laws or Ordinances made or Given or to be made or Given for or concerning our said Province of Maryland shall or ought by the Appointment of us or our heirs or by the appointment of our Lieu^t General or other chief Governor there for the time being or otherwise to be entered and Recorded to have and to hold Execute and Enjoy the said Office and Offices unto the said Thomas Hatton until we or our heirs shall signify our or their pleasure, to the Contrary and no longer Given at Bath under our hand and Seal at Arms the twelfth day of August in the seaventeenth year of our Dominion over the said Province Annoq Dñi 1648

The Oath of the Lord Proprietarys Secretary in Maryland

I AB do swear that I will be true and faithful to the right honble Cecilius Lord Baron of Baltimore the true and Absolute Lord and Proprietary of this Province of Maryland and him and them & his and their rights royal Jurisdictions Signiory all and every of them in to and over the said Province and Islands thereunto belonging will at all times defend and maintain to the utmost of my Power and will never accept of nor execute any Place Office or employment within the said Province any way concerning or relating to the Government of the said Province from any person or Authority but by from or under a
 p. 208 lawful Authority derived or to be derived from time to time from his said Lordship or his heirs Lords and Proprietarys of the said Prov^e under his or their hand and Seal at Arms I will serve him faithfully as his Secretary in the said province to none will I wittingly or willingly delay or deny Right in what belongeth to my Office or Offices to do true Record I will keep of Judgments and all other matters to be by me recorded without falsification or Corruption for fear favour or malice of any Person whatsoever to the best of my ability and Understanding so help me God and by the Contents of this Book

Commission for Surveyor
General

Liber C. B.

Cecilius Absolute Lord and Proprietor &c^a to our trusty and well Beloved Robert Clarke Gent we having had experience of your fidelity and industry in the maintaining of our undoubted right and title to that our Prov^e of Maryland and being Confident of your integrity & Ability in and for the execution of the Office hereby by us intended to be conferred upon you do by these presents out of our especial favour to you Constitute and appoint you the said Robert Clarke to be our Surveyor General of all and singular our Castles Lordships Mannors Forests Chases Parks Messuages Tenements Lands Woods Rents Revenues Possessions and Hereditaments whatsoever within our said Province of Maryland as well within Liberties as without to have and to hold enjoy and Exercise the aforesaid Office by your self or your sufficient Deputy or deputies during our pleasure with all Vails, fees Regards Advantages Profits and Allowances whatsoever to the said Office belonging or appertaining as fully and intirely and in as ample manner and form as any other of our Surveyors ever had held or enjoyed the same or as any Surveyor of the Province of Virginia ever had held or enjoyed the like Office of Surveyor General in the said Province of Virginia Commanding also and by these presents firmly enjoyning all and singular our Sheriffs and other Officers and Ministers and all other People within our said Prov^e of Maryland that they be assistant and aiding to you the said Robert Clark and your Deputy or Deputys in the Execution of the said Office from time to time as Occasion shall Require and becometh them so to do Given at Bath under our hand and Greater Seal at Arms the twelfth day of August in the 17th Year of our Dominion over our said Province of Maryland Annoq Dom 1648

p. 209

Commission to the Governor and
Council in Maryland

Cecilius Absolute Lord and Proprietor of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c^a to our trusty and well Beloved William Stone Esq^r our Lieut^t of our said Province of Maryland & to all our Councillors and to our Freemen or their Deputies in our General Assembly within that province Greeting whereas we are informd that divers Laws were enacted in our said Province in Our Name by Cap^t Edward Hill with the Consent of our freemen or their Deputies or the Major part of them Concern'd in one or more General Assemblies there in the time when he the said Cap^t Hill was

Liber C. B. our pretended Lieutenant or Governor of the said Province
 p. 210 although the said Captain Hill had never any never any Lawful
 Authority to Act any thing there as our Lieutenant or chief
 Governor of that Province nor for acting any thing else Con-
 cerning that Government in regard Our dear Brother Leonard
 Calvert Esq^r (lately deceased) by whom the said Captain Hill
 pretended to be constituted Our Lieu^t there had no Authority
 from us to appoint or Constitute any in that place under us
 there but only in Case of his Death or of his Absence from
 thence and during such absence only or until we or our heirs
 should signify our or their Pleasure to the Contrary and was
 also limited by our Commission to him not to appoint or Con-
 stitute any Person in either of the aforesaid Cases of Death or
 absence to be our Lieutenant or Governor there unless such
 Person were of our Privy Council there and residing within
 our said Province at the time of such Appointment or Con-
 stitution which made the said Captain Hill incapable of that
 Place he being not then nor ever of our said Council and
 whereas we are inform'd that some of those Laws so enacted
 as a^d are very prejudicial to our rights and Royal Jurisdictions
 in the said Province and others of them inconvenient for our
 People there we do therefore for the Reasons aforesaid hereby
 protest against all the said Captain Edward Hills Proceedings
 in the quality of our Lieutenant there as unlawful and do here-
 by declare our disassent to all Laws Orders and Ordinances
 whatsoever made or enacted by him or in our name as our
 Lieutenant there in any General Assembly or otherwise and
 whereas we are inform'd that there have been at Several times
 divers other Laws enacted in our said Province both before
 and after Captain Hills Assumption and desertion of that pre-
 tended place of our Lieutenant there by several others of our
 lawful Lieu^{ts} of the said Province for the time being in our
 p. 211 name to and with the Consent and approbation of the Freemen
 of our said Province or their Deputies or the Major part of them
 which have been since found as we are inform'd too Burthensom
 and inconvenient for the People there we therefore tendring
 there Good more then our own have seriously Considered of
 Certain Acts or Laws hereunto annex'd being sixteen in Number
 and written in three Sheets of Parchment each Sheet being
 signed by us and all three Jointly together with these Presents
 having the Impression of our Greater Seal at Arms affixed
 unto them which said Acts or Laws were Proposed unto us for
 the Good and quiet Settlement of our Colony and People in
 our said Province and we finding them very fit to be enacted
 as Laws there do hereby Consent that our said Lieutenant
 William Stone shall propose the said Acts or Laws hereunto
 annexed as aforesaid to a General Assembly or Assemblies of

the freemen of our said Province or their deputies and in case the said freemen or their deputies or the Major part of them in any such General Assembly within our said Province shall within twelve months after the date hereof give their Consent that all and every of the said Acts or Laws jointly Contain'd in the said three Sheets of Parchment hereunto annexed shall be enacted for Laws within our said Province by us or our Lieu^t there for the time being in our name in such manner and form as they are there written or drawn without any alteration addition or diminution to them or any of them We do in that Case & not otherwise hereby declare Our Assent also, th^t all & Every of the s^d Acts & Laws may & shall be enacted And we do in that Case and not otherwise hereby Enact them for Laws within our said Province and do also in that Case and not otherwise declare our disassent to all and every Law or Laws which have been at any time heretofore Enacted or shall be enacted for Laws or Ordinances in our name or otherwise within that our said before the publishing of our Commission there for the making and Constituting of the said William Stone our Lieu^t of Our said Province excepting nevertheless any Act or Acts Law or Laws whereby William Clayborn now or late of Virginia was or is by that or any other name attainted or Condemned of any Capital or other Crime or Crimes or misdemeanors all and every of which Act or Acts Law or Laws concerning any such Attainder or Condemnation of the said William Clayborn we will have still to Continue in full force and Virtue any thing herein to the Contrary in any wise notwithstanding Given under our hand and Greater Seal at Arms at Bath the 12th day of August in the seventeenth year of our Dominion over the said Province Anno Dni 1648

Liber C. B.

p. 212

A Commission annexed to the
Conditions of Plantation
Anno 1648

p. 185

Cecilius &c^a to our trusty and well Beloved William Stone Esq^r our Lieutenant of our Province of Maryland Greeting whereas we have thought fit for divers Reasons to Revoke our former Conditions of Plantation for our said Province of Maryland and to propose other Conditions of Plantation for the future within the said Province which we send you herewith written in parchment under our hand and Greater Seal at Arms bearing date the twentieth day of Iune last past and hereunto annexed and whereas we have likewise herewith sent you certain draughts or forms of Grants the one of a Mannor and the other of a Freehold under our hand and Greater Seal at Arms bearing date with these presents and

Liber C. B. hereunto also annexed which forms we would have observed and no other Mutatis Mutandis et repletis replendis in the Granting of Lands within the said Province for the future by Virtue of the said last Conditions of Plantation bearing date as aforesaid or by Virtue of any other warrant hereafter under our hand and Seal at Arms for Granting of Lands there excepting where we shall by any such warrant Give directions to the Contrary we do therefore declare hereby that we have and do hereby Revoke from henceforward all former Conditions of Plantation for our said Province of Maryland heretofore Proposed by us so as we will not have any Land in our said Province hereafter Granted from us to any Person whatsoever by virtue of any of the said former Conditions of Plantation for or in respect of the Transportation of any Person or Persons

p. 186 whatsoever into our said Province from and after the date hereof and we do will and require you to publish this our declaration in our said Province with all Convenient speed to the end that all those whom it may Concern may take Notice thereof and we do hereby authorize and require you till we or our heirs shall signify our or their Pleasure to the Contrary from time to time in our name and under our Great Seal of our said Province to Grant Lands within our said Province to all Adventurors or Planters to or within the same upon such terms & Conditions as are expressed in the s^d last Conditions of Plantation and according to the form of Grants above mentioned and no otherwise without further and special warrant hereafter to be obtain'd for the same under our or our heirs hand and Seal at arms and whereas we are Given to understand that as well divers French men as some People of other Nations who by our former and also by these last Conditions of Plantation are not Capable of having any Lands within our said Province are already seated or may hereafter with ours or you our Lieutenants Leave there for the time being seat themselves in our said Prov^e we do hereby therefore authorise you to make any Person or Persons of French Dutch or Italian Discent as you shall think fit and who are already planted or shall hereafter Come and Plant in our said Province Capable of our said last Conditions of Plantation and do hereby give you Power to Grants Lands thereupon within our said Prov^e unto them and every of them accordingly as well for and in respect of themselves as for and in Respect of Any Person or Persons either of British or Irish or of any other of the Discents aforesaid which they or any of them and also which any other person of British or Irish discent shall hereafter with our

p. 187 or you our said Lieutenants leave transport into our said Province in the same and in as ample manner and upon the same terms and Provisoos are you are hereby our by our Commis-

sion to you for the Government of the said Province authorized Liber C. B.
to Grant any Lands to any Adventuror or Planter of British or
Irish discent within our said Province Provided always the
Demesnes of no Mannor within our said province which already
is or shall be hereafter set out and appointed for our own par-
ticular use nor any part of our Mannor of West S^t Marys lying
upon or near S^t Georges River in our said Province nor any
other Land within our said Province which hath been or shall
hereafter be Granted to any other Person or Persons from us
and is or shall be Confiscated or escheated again unto us or
our heirs shall be Alienated or Granted from us or our heirs
by Virtue hereof without our further and special warrant for
the same to be hereafter Obtain'd under the hand and seal at
Arms of us or our heirs any thing herein to the Contrary not-
withstanding Given at Bath under our hand and Greater Seal
at Arms the twentieth day of August Anno Domini 1648

Conditions Propounded by the Right Honble Cecilius
Lord Baron of Baltimore Lord & Proprietary of the
Province of Maryland &c^a to such Persons as shall go
to Plant in the Province afores^d which Conditions are
to Continue in force till other Conditions of plantation
for the said Province shall be published under his
Lordships or his heirs hand and seal at Arms within
the said Province.

What Person soever being of British or Irish discent (except
hereafter excepted) shall at his own or friends Charge Cause
to be transported into the Province of Maryl^d from any other p. 188
place himself or his Deputy with any Number of Persons of the
discent aforesaid and shall Observe the Conditions hereunder
mentioned there shall be Granted unto every such Adventuror
or planter for every twenty persons of the discent aforesaid
which he shall so in any one year at his own or his friends
charges Cause to be transported from any other place thither
a proportion of good land within the said Province Containing
in quantity two thousand Acres of English Measures to be
assigned and to lye all together in some one place within the
said province every which said two thousand acres shall be
erected into a mannor and be Conveyed by Grant under the
Great Seal of the said Province to him his heirs and Assigns
Respectively for ever with such Royalties and Priviledges as
are most usually belonging unto Mannors in Engl^d to be
held by some honour of his said Lordships or his heirs within
his said Province in Socage tenure Rendering and paying
Yearly for the first (seven years) after the said Grant unto his
said Lordship and his heirs for every such Mannor at the two

Liber C. B. most usual feasts of the Year (viz^t the Annunciation of the blessed Virgin Mary and S^t Michael the Arch Angell by even and caquall Portions of the Rent of Forty Shillings Ster^t in Silver or Gold or the Value thereof in such Commodities as his said Lordship and his heirs or his or their Officer or Officers appointed by him or them from time to time to Collect and Receive the same shall accept in discharge thereof and for the next fourteen years in lieu thereof forty Bushell of Wheat yearly as is now usually Growing and used in England and according to English measure or six pounds ster^t in silver or
 p. 189 Gold at the Choice of his Lordship and his heirs and after the said fourteen Years in lieu thereof the twentieth part Yearly of the Annual yield and profitts of every such Mannor or in lieu thereof ten pounds Sterling in silver or Gold at the Choice as aforesaid to his said Lordship and his heirs forever

2 The sixth part of the Land of every mannor which shall be Granted by Virtue of the said Conditions shall be for ever after Accompted and known for the demesnes of Every of the said Mannors respectively which demesnes shall be set forth in some one Convenient place altogether within every such mannor by distinct meetes and Bounds for that Purpose and shall never be Alienated separated or leased from the Royalties and Lord or Lords of the said Respective Mannors from time to time for the time being for any number of years or other term exceeding seven years and the respective Lords of every such mannor and their heirs shall have Power from time to time and at all times hereafter to Grant or Convey any other Part of the said mannor respectively (except the Demesne Land of the same unto any other person or persons of British or Irish discent either in fee Simple or fee tayle for life lives or years to be held of him or them as of his or there said mannor respectively by and under such Rents and Services as he and they shall think fit not prejudicial to his Lordships Royal Jurisdiction there and so as all and every part of the said Lands so to be Granted or Conveyed as aforesaid remain still Notwithstanding still subject and Liable to the Payment of such Rents dues and Services of every such mannor as are or shall be from time to time reserved upon the Originall Grant thereof from his said Lordship and payable to his said Lordship and his heirs forever

p. 190 3 What Person soever of the Discent aforesaid (except hereafter excepted shall at his or his friends Charges cause to be transported any less or Greater number of persons then twenty of the discent aforesaid into the said Province from any other place and shall also observe the Conditions hereunder mentioned he shall have Granted unto him his heirs and Assigns respectively under the Great Seal of the said Province for and in

respect of himself and every such person as aforesaid fifty Acres of Good Land lying together in one place within the said Province to be holden of some Mannor there of his Lordships and his heirs in Socage tenure Rendering and paying yearly for evry fifty Acres to his said Lordship and his heirs for the first Seven years after the Grant thereof the Rent of one Shilling Sterling in Silver yearly at the two most usual feasts of the Year viz^t at the Annunciation of the blessed Virgin Mary and Saint Michael the Arch Angel by even and equal Portions or the Value thereof in such Commodities as his said Lordship and his heirs or his & their Officer or Officers appointed by him or them from time to time to Collect and receive the same shall Accept in discharge thereof and for the next fourteen Years in Lieu thereof one Bushell of such Good wheat as is now usually Growing and used in England or three shillings Ster^t in Silver at the feasts aforesaid by even and equal Portions yearly at the Choice from time to time of his said Ldshps and his heirs or of his or their Officer or Officers who shall be Authorised by him or them from time to time to Collect or Receive the same and after the said fourteen years in lieu thereof the twentieth part of the Annual yield and Profits of every the said fifty Acres yearly or in lieu thereof twenty shillings Ster^t in Silver or Gold yearly at the feast Aforesaid and at the Choice aforesaid to his said Lordship and his heirs for ever. Liber C. B.
p. 191

4 Every Adventuror or Planter his heirs and Assigns shall Cause so many Persons of British or Irish descent from time to time to Reside or Inhabit upon the Land Granted to him or them in the said Province as are required by the said Conditions to be transported thither for the Granting of the said Land and in default thereof at any time upon a warning Given unto him or them by such Officers of his said Lordship or his heirs as shall from time be appointed for that Purpose for supply of the same such Adventuror or Planter and his heirs and Assigns shall within one year after such Warning given supply the number of Persons that shall be so wanting to reside and inhabit upon the same or in default thereof to pay unto his said Lordship and his heirs two Bushells of good wheat yearly such as usually Grows in England for default of every such person so wanting till such Adventuror or Planter and his heirs and Assigns shall Comply with this Article of these Conditions according to the true intent thereof and if the said default Continue for three Years together then for every man that shall be so wanting as aforesaid to inhabit and reside upon the said Land it shall be lawful for his said Lordship and his heirs to seize upon fifty Acres of the said Land whereon there shall be at the time of such Seizure no Person of British or Irish

Liber C. B. discent then residing or inhabiting and let the same to any other Person for any term not exceeding three Lives or one and twenty Years upon such terms and Conditions and under such Rents and Services as his said Lordship and his heirs shall think fit paying such Adventurors or planter and his heirs and Assigns a tenth part of the Rent that shall be paid by any such Lessee for the same over and above the quit Rent to his
 p. 192 said Lordship and his heirs reserv'd upon the Originall Grant which shall be first deducted and payed

5 Every man Servant of British or Irish discent that shall be transported into the said Province at the Cost and Charges of any other Person or Persons whatsoever of the same discent shall at the Expiration of the Time of their Service so as it be not under three years after their Arrival there be accompted a planter within the said Province and shall have so much Land Granted unto him his heirs and assigns there from his said Lordship and his heirs and upon such terms and Conditions as if such Servant had transported himself into the said province at his own proper Cost and Charges

6 It is not intended that any Adventuror or Planter shall have any Land Granted unto him or them for any Person for or in respect of whom any Land in the s^d Province at the time of such Grant hath been formerly Granted by his said Lordship

7 Every Adventuror or planter that shall have any Lands granted unto him by Virtue of these Conditions before any Grant be delivered to him and before it shall enter to his Benefit shall take within the said Province the Oath of Fidelity to his Lordship and his Heirs Lord and Proprietarys of the s^d Province hereunder specified

^{Sihly} Every Adventuror or planter that shall have any Lands by Virtue of these Conditions shall pay such fees to his Lordships Officers within the said Province for their Respective Grants of the said Land as are or have been usually paid to the like Officers in Virginia for the like Grants in that Colony
 p. 193 or as have been paid for the like in Maryland or as is or shall be appointed by Act of a General Assembly there so as they be not less then then the said fees usually paid in Virginia or which have been paid for the like in Maryland

9 Every Adventuror or Planter shall have all such Lands as shall become due unto him by virtue of the said Conditions assigned unto him in such Parts or Places of the said province as his Lordship or his heirs or his or their Lieutenant or other chief Governor there together with his Ldshps Secretary and Surveyor General there for the time being shall from time to time appoint for the General Good of his Ldshps Colony there and the reasonable Convenience and Commodity of every such Adventuror or Planter

10 His Lordship doth except out of these Conditions of Liber C. E.
Plantation all Corporations Societies Fraternities Guilds and
Bodies Politick as well Spiritual as Temporal and every of
them and do declare that he doth not intend that they or any
of them shall be Capable of or have any Benefit by Virtue of
those Conditions to Inherit Possess or Enjoy any Land within
the said Province either in their own name or Right or in the
name or names or right of any other Person or Persons what-
soever to the use Interest or Benefit of or Interest of any such
Corporation Guild Bodys Politick Societies fraternities or any
of them as aforesaid without further particular and special
License first had and Obtain'd therefore under his Lordships
hand and seal at Arms

11 In case his Lordship shall think fit to except any other
Person or Persons from having any Land within the said Pro-
vince by Virtue of these Conditions and shall Cause Notice to
be Given to such Person or Persons of such Exception such p. 194
Person and Persons so to be excepted by his Lordship shall
not from and after six months next ensuing after such notice
Given as aforesaid have any future Benefit to be Capable of
hav^g any Land within the said Province by virtue of the said
Conditions for or in respect of any Person or Persons which
shall be afterwards transported into the said Province without
further special License under his Lordships hand and Seal at
Arms for the same

12 No Adventuror or Planter to or in the said Province or
any of them who shall have any Land due unto them him or
her there by Virtue of the said Conditions nor there heirs or
Assigns shall Give Grant sell Aliene or Assign any of those
Lands Tenements Heredit^{ms} within the said Province which
shall be Assigned or Granted unto him or them from his said
Lordship or his heirs or which such Adventurors or Planters
or any of them shall possess and Enjoy by Virtue of the said
Conditions to any Corporation Society Fraternity Guild or
Body Politick either Spiritual or Temporal or to any other
Person or Persons whatsoever in trust for them or any of them
or to such use or uses or any use or uses Comprized men-
tioned or forbidden in any of the Statutes of Mortmayne here-
tofore made in the Kingdom of England at any time before
the Reign of Henry the Eighth who was King of that Realm
without particular or special License first had and Obtain'd for
that Purpose under the hand and Seal at Arms of his Lordship
or his heirs upon pain or forfeiture of all such Lands unto his
Lordship & his Heirs

13 Every person whatsoever as shall Claim any Proportion
of Land in the said Province of Maryland by Virtue of the said
Conditions shall demand of his Lordship or his heirs or of his
or their Lieutenant or chief Governor of the said Province for p. 195

Liber C. B. that time being a Grant under the Great Seal of the said Province of the said Lands so due to him within one whole year next after the said Lands shall be due unto him and if any Adventuror or Planter shall Neglect to make the said demand within the time above mentioned or that he or his heirs or Assigns shall refuse at any time to accept of a Grant from his Lordship or his heirs under the Great Seal of the said Province of such Lands as shall from time to time be due unto any such Adventuror or Planter by Virtue of the said Conditions when it shall be Offered unto him or them by his said Lordship or his heirs or by his or their Lieutenant or chief Governor there or by his or their Secretary within the said Province for the time being or shall not perform all things which are Required by the said Conditions to be performed by every such Adventuror or Planter then every such Adventuror or Planter shall for ever after loose their respective rights and pretences to the said Land

14 Because all Secret Trusts are usually intended to deceive either the Government or State where they are made or some other Persons and by experience are found to Occasion many suits and dissentions therefore no Adventuror or Planter shall take any Grant from his Lordship under the Great Seal of the Province of any Lands there by Virtue of these Conditions in trust for any other Person or Persons or to any other use or uses then what shall be expressed in the said several and respective Grants upon pain of forfeiture of the said Lands to his Lordship or his heirs when any such Secrett Trust or Uses shall be truly discovered

[Sworn to the Oath of Fealty.]

Liber B.
p. 205

1647:

Richard Brown 27 June
Robert Kedger
Thomas Waggott 3^d July
W^m Wheatley 18th July
Thomas Bushell 24
John Harwood 31
John Grimesditch 1 Aug
John Paulett }
John Deara } 20 Aug

James Johnson 3^d Septemb^r
John Courts 12th Sept^r
John Walton 22^d Sept^r
W^m Yewell 22^d Dec^r
Christopher Russell 12 Nov^r
Rob^t Ward 14th feeb^y
Robert Smith 4th March

1648.

Thomas Asbrook 15 July
John Asbrook 15 July
Tho Warr 4^o August
George Manners 4^o
M^r Richard Brown 17 Novemb
W^m Edwin 15 Decemb
John Shertcliffe 15 Decemb
James Langworth 15 Decemb

Phillip Land 20th Decemb
M^r Cuth: ffenwick 9^o feeb^y
James Hare 15 March
John Ashley 15^o March
Ralph Beane 15 March

Mem^d that I Thomas Hatton by Vertue of my Comission Liber A.
p. 245
from the right ho^{ble} the Lord Baltemore of being his Lopps Secretary of this Province did vpon the 2^d day of this p^rsent Moneth being the first day of the Assembly receive into my custody this Booke of Entries. before the Governor and Counsell then mett together, this being the nyneth day of Aprill Anno dni 1649.

This being th^e last day of th^e Cou^rt, & th^e last Cou^rt for this p^rnt yeare. The Gouverno^r appoynted & nominated M^r Phillip Land High Sheriffe of S^t Maries County for this next yeare following. Who was thereuppon Sworne in open Cou^rt.

By the Leiveten^{ant} &c of Maryland 1649

p. 322

Procl published eod Whereas the right ho^{ble} the Lord Proprietary of this Province is given to vnderstand that divers Adventurers or Planters haue for a long time for borne neglected or refused to take Grants from his Lopp of all such lands within this Province as haue beene or are due vnto them from time to time by vertue of severall Condi^cōns of Plantacōn heretofore propounded by his Lopp (contrary to the true intent and meaning of the said Condi^cōns) though some of the said lands haue beene due to some of the said Adventurers or Planters by the space of divers yeares past, w^{ch} course can pduce noe good effects to any such Adventurers or Planters or to his Lopp, but must needes in pces of time make such Adventurers rights & p^rtences to land there very doubtfull, begetting nothing els but difficulties and confusions, and his Lopp thereby also receives great p^riudice in the non paym^{ts} of such Rents for a long time w^{ch} are due and payable vnto him from such Adventurers or Planters if they had or did take Grants of all such lands due vnto them in convenient time as they ought to haue done And whereas there may bee divers that would but could not haue any Grants passed to them for any lands due vnto them since ffebruary 1644. about w^{ch} time his Lopps Great Seale of this Province was violently taken from hence, and noe other here since till nowe that his Lopp hath sent a newe Great Seale hither His Lopp therefore doth declare that it is his will & pleasure that all such persons nowe resident within this Province or within the Collony of Virginia that p^rtend any right to any lands w^{ch} haue beene due vnto him her or them within this Province by vertue of any Condi^cōns of Plantacōn or any other Warrant vnder his Lopps hand & Seale at any time before the 17th day of March last past for w^{ch} noe Grants vnder his Lopps Greate Seale here are passed vnto them shall some

Liber A. time before the first day of November next ensueing the date hereof come and make their right appeare vnto mee his Lopps Leiveten^{ant} of this Province or to such deputy as I shall ordaine and appoint in case of my absence or death) for the Govern^t of this Province vnder his Lopp, w^{ch} they p^ttend to all or any such lands here as aforesaid, and after survey thereof and before the said first day of November next demand Grants of mee or such deputy as aforesaid for the same vnder his Lopps great Scale of this Province before mencōned, and therevppon they shall haue Grants speedily passed vnto them according to Justice As his Lopp requires mee his said Leiveten^{ant} to performe vnto them And in regard there may bee some person or persons nowe absent out of this Province & Virginia w^{ch} haue or pretend to haue right vnto lands here due by such Condi^cōns or warrant before expressed, and cannot by reason of such absence in convenient time haue notice hereof. Such person or persons soe absent as aforesaid shall haue liberty till the 25th day of March next after the date of this Proclamacōn to make such their right to land within this Province to appeare and to demand Grants for the same in manner as aforesaid And all such person & persons before menconed who shall neglect or refuse to comply herewith must blame their owne obstinacy if hereafter they bee refused any such Grants, w^{ch} his Lopp in that case hath appointed mee to refuse to grant vnto them when phapps they would bee willing to haue them w^{ch} his Lopp in Justice may doe, for hee having once offered them Grants and they refuseing his Lopp hath performed his Condi^cōns on his part and is wholly disobliged in honor iustice & conscience from alloweing or offering the same againe Given at S^t Maries the 13th day of Aprill Anno dñi 1649

Willm Stone

p. 245 16^o April p^dict M^r Willm Bretton with his owne hands in the House of Assembly delivered to mee this booke and another lesser booke with a p^{ch}m^t cover divers of the leaves thereof having beene cutt or torne out and many of them being loose & much worne & defaced, together alsoe with divers other papers & writings bound together in a bundle and then vppon the delivery of them made oath That those were all the bookes of Record papers draughts p^sidents or other writings that hee had could come by or knowe of within this Province w^{ch} belonged to the Secretary or Register of this Province or their Office or Offices Except some Warrants and some draughts of M^r Hills time, and some fewe other papers of little consequence w^{ch} hee pmised to deliver to mee ere longe

Ita testor Tho: Hatton Secr.

[Commission to Thomas Greene.]

Liber A.

Whereas I Cap^t Willm Stone Leiveten^{ant} &c of this Province p. 246
of Mariland by Comission from the right ho^{ble} the Lord Proprietary of the same, (having occasion to bee for some tyme absent out of this Province) doe by vertue of and according to the power and authority to mee granted by the said Comission nominate elect and appoint Thomas Greene Esq to bee his said Lopps Leiveten^{ant} Generall Chancellor Keep of the great Seale Admirall cheife Justice Magistrate and Comander as well by Sea as by land of this his Lopps Province of Maryland and the Islands to the same belonging during my absence out of this Province or vntill his Lopp or his heires signify his or their pleasure to the contrary in as large and ample manner as his Lopp hath by the said Comission authorized mee to governe for the p^{sent}. But in case of the said M^r Greenes refusall I doe hereby nominate elect and appoint M^r Thomas Hatton his Lopps Secretary for the purpose aforesaid Witnes my hand this 2^d day of May Anno dni 1649

William Stone.

A Commission annexed to the
Conditions of Plantation de
Anno 1649

Liber C. B.
p. 220

C: B:

Cecilius &c^a to our trusty and well Beloved our Lieutenant of our Province of Maryland for the time being Greeting whereas we are informed that our Conditions of plantation bearing date the 20th of June in the Year of our Lord God 1648 and sent by us the last Year to be published within our said Province of Maryland are not like to Give sufficient encouragement to many to adventure or Plant there we tendring more the safety and prosperity of the present inhabitants there p. 221
then our own particular advantage to the end that others may be encouraged to adventure and plant in the said Province whereby the People already there may be the more strengthened against any Foreign Enemies we have thought fit to revoke and do hereby Revoke our former Conditions of Plantation for our said Province of Maryland and to propose other Conditions of Plantation for the future within the said Province which we send you herewith (written in Parchment under our hand and Greater Seal at Arms bearing date this present second day of Iuly in the Year of our Lord God 1649 and hereunto annexed and whereas we have likewise sent you herewith certain draughts of forms of Grants of a Mannor and of a freehold under our hand and Greater Seal at Arms and hereunto also annexed which forms we would have Observed and none other Mutatis

Liber C. B. Mutandis & Repletis Replendis) in the Granting of any Lands within the said Province for the future by Virtue of the said last Conditions of Plantation Bearing date as aforesaid or by vertue of any warrant here after under our hand and seal at Arms for Granting of Lands there (excepting where we shall by any such warrant give directions to the Contrary) we do therefore hereby declare that we have and do hereby Revoke from henceforwards all former Conditions of Plantation for our said Province of Mary^d heretofore proposed by us so as we will not have any Land in our said Province hereafter Granted from us to any Person whatsoever by Virtue of the aforesaid Conditions of Plantation for or in Respect of the Transportation of any Person or Persons whatsoever into Our said Province from and after the date hereof and we do will and require you to publish this our Declaration in our said Province with all Convenient speed to the end that all those whom it doth or

p. 222 may Concern may take Notice thereof and we do hereby authorise and Require you till we or our heirs shall signify our or their Pleasure to the Contrary) from time to time in our name and under the Great Seal of the said Province of Maryland to Grant Lands within our said Province to all Adventurors or Planters to or within the same upon such terms and Conditions as are expressed in the said last Conditions of Plantation bearing date with these presents and according to the forms of Grants above mentioned and no otherwise without further and special warrant hereafter to be obtain^d for the same under our or our heirs hand and seal at Arms and whereas we are Given to understand that as well divers Frenchmen as some People of other Nations who by our former as also and also by these last Conditions of Plantation are not Capable of having any Lands within our said Province are already seated or may hereafter with our or you our Lieutenants leave there for the time being seat themselves in our said Province we do hereby therefore Authorise you to make any Person or Persons of French Dutch or Italian discent as you shall think fit and who either are already planted or shall hereafter come and Plant in our said province Capable of our said last Conditions of Plantation and do hereby Give you Power to Grant Lands thereupon within our said Province unto them and every of them accordingly as well for and in respect of themselves as for and in respect of any Person or Persons of British or Irish discent or of any of the other discents aforesaid which they or any of them and also which any other Person of British or Irish discent shall hereafter with our or you our said Lieutenants Leave transport into the said province in the same and in as ample manner and upon

p. 223 the same terms and Provisoos as you are hereby or by our

Commission to you for the Government of the said Province Liber C. B.
authorised to Grant any Lands to any Adventuror or Planter
of British or Irish discent within our said Province Provided
always the Demesnes of no Mannor within our said Province
which already is or hereafter shall be set out and appointed for
our own particular use nor any part of our Mannor of West
Saint Marys lying upon or near Saint Georges River in our
said Province nor any other Land within our said Province
which hath been or shall be Granted to any other Person
or Persons from us and is or shall be Confiscated or escheated
again to us or our heirs shall be alienated or Granted from us
or our heirs without further and special warrant for the same
to be hereafter Obtained under the hand and seal at Arms of
us and our heirs any thing herein to the Contrary in any wise
notwithstanding Given at London under our hand and Greater
seal at Arms the second day of Iuly in the Year of our Lord
God 1649

Conditions propounded by the Right Honble Cecilius
Lord Baron of Baltimore Lord and Prop^y of the Pro-
vince of Maryland to such Persons as shall go to Plant
in the Province aforesaid which Conditions are to Con-
tinue in force till other Conditions of Plantation for the
said Province shall be published under his Lordships or
his heirs hand and Seal at Arms within the said Pro-
vince

C B

Imprimis what Person soever being of British or Irish discent
(except hereafter excepted) shall at his own or Friends Charges
Cause to be transported into the Province of Maryland from
any other Place himself or his deputy with any number Num- p. 224
ber of Persons of the discent aforesaid and shall Observe the
Conditions hereunder mentioned there shall be Granted to
every such Adventuror or Planter for every thirty persons of
the discent aforesaid which he shall so in any one Year at his
own or his friends Charges cause to be transported from any
other place thither a Proportion of Good Land within the said
Province Containing in quantity three thousand Acres of Eng-
lish measure to be assigned and lye altogether in some one
place within the said Province every of which said 3000 Acres
shall be erected into a Mannor and be Conveyed by Grant
under the Great Seal of the said Province to him his heirs and
Assigns Respectively for ever with such Royalties and Privi-
ledges as are most usually belonging to Mannors in England
to be held of some Honour of his Lordships or his heirs within
the said Province in Socage tenure Rendring and paying
therefore Yearly unto his said Lordship and his heirs for every

Liber C. B. such Mannor at the two most usual feasts of the Year viz^t the Annunciation of the Blessed Virgin Mary and Saint Michael the Arch Angell by even and equal Portions the Rent of three Pounds Sterling or the Value thereof in such Commodities as his said Lordship and his heirs or his or their Officer or Officers appointed by him or them from time to time to Collect and Receive the same shall accept in discharge thereof

The sixth part of the Land of every mannor which shall be Granted by Virtue of these Conditions shall be for ever after Accompted and known for the Demesnes of every of the said Mannors respectively which Demesnes shall be set forth in some one Convenient place altogether by distant meetes and Bounds for that purpose and shall never be Alienated Separated
 p. 225 or Leased from the Royalties and Lord or Lords of the said Respective Mannors from time to time for the time being) for any number of Years or other term exceeding seven years and the respective Lords of every such Mannor and his heirs shall have Power from time to time and at all times hereafter to Grant or Convey any other Part of the said Mannor respectively (except the Demesnes Land of the same) unto any other Person or Persons of British or Irish Discent either in fee Simple or fee Tail for Life Lives or Years to be held of him or them as of his or their said Mannors respectively by and under such Rents and Services as he or they shall think fit not prejudicial to his Lordships Royal Jurisdiction here and so as all and every part of the said Lands so to be Granted and Conveyed as aforesaid remain notwithstanding subject still and liable to the payment of Such Rents dues and services of every such mannor as are or shall be from time to time Reserved upon the Originall Grant thereof from his said Lordship and payable to his said Lordship and his heirs forever

What Person soever of the discent Aforesaid (except hereafter excepted) shall at his or his Friends Charges Cause to be Transported any lesser or Greater Number of Persons then
 thirty of the discent aforesaid into the said Province from any other Place and shall also Observe the Conditions hereunder mencōned shall have Granted unto him his heirs and Assigns Respectively under the Great Seal of the Province for and in Respect of himself and every such Person as aforesaid an hundred Acres of Good Land lying together in one place within the s^d Province to be holden of some Mannor there of his said Lordships and his heirs in Socage Tenure rendring and paying yearly for every hundred Acres to his
 p. 226 said Lordship and his heirs the Rent of two Shillings Sterling in in Silver Yearly at the two most usual feasts of the Year (viz^t) at the Annunciation of the Blessed Virgin Mary & Saint Michael the Arch Angell by even and equal Portions or the

full Value thereof in such Commodities as his said Lordship and his heirs or his or their Officer or Officers Appointed by him or them from time to time to Collect or Receive the same shall accept in discharge thereof Liber C. B.

4 It is not intended that any Adventuror or Planter shall have any Lands Granted to him or them for any Person for or in respect of whom any Land in the said Province at the time of such Grant hath been formerly Granted by his said Lordship

5 Every Adventuror or Planter of or above the Age of sixteen Years to whom any Land shall be Granted by Virtue of these Conditions and also every other Person and Persons of or above the Age of Sixteen years for or in Respect of whom any Lands shall be Granted by Virtue of the said Conditions before any such Grant be Passed unto any such Adventuror or Planter and before it shall inure to his Benefit shall take within the said Province the Oath of Fidelity to his said Lordship and his heirs Lords and Proprietarys of the said Province hereunder specified

6 Every Adventuror or Planter that shall have any Lands by Virtue of these Conditions shall pay such fees to his Lordships Officers within the said Province for their Respective Grant of the said Lands as are or have been usually paid to the like Officers in Virginia for the like Grants in that Colony or as have been paid for the like in Maryland or as is or shall be appointed by Act of a General Assembly there so as they be not less then the said fees usually paid in Virginia or which have been paid for the like in Maryland

7 Every Adventuror or Planter shall have all such Lands as shall become due to him by Virtue of these Conditions assigned to him in such Parts or Places of the said Province as his Lordship or his heirs or his or their Lieutenant or other chief Governor there together with his Lordships Secretary and Surveyor General there for the time being shall from time to time appoint for the General Good of his Lordships Colony there and the Reasonable Convenience and Commodity of every such Adventuror and Planter p. 227

8 His Lordship doth except out of these Conditions of Plantation all Corporations Societies Fraternities Guilds and Bodys Politick as well Spiritual and Temporal and every of them and doth declare that he doth not intend that they or any of them shall be Capable of or have any Benefit by Virtue of these Conditions to inherit Possess or Enjoy any Land within the said Province either in their own name or right or in the name or names or right of any other Person or Persons whatsoever to the use Interest or Benefit of or in trust for any such Corporation Guild Bodies Politick Societies or Fraternities or any of them

Liber C. B. as aforesaid without further particular and especial License first had and Obtain'd therefore under his Lordships hand and Seal at Arms

9 In Case his Lordship shall think fit to except any other Person or Persons from having any Land within the said Province by Virtue of these Conditions and shall Cause Notice to be Given to such Person or Persons of such Exceptions such Person or Persons so to be excepted by his said Lordship shall not from and after six months next ensuing after such notice Given as aforesaid have any future Benefit or be Capable of hav^g any Land within the said Province by Virtue of these Conditions for or in respect of any Person or Persons which shall be transported into the said Province without
p. 228 further especial License under his Lordships hand and Seal at Arms for the same

10 No Adventuror or planter to or in the said Province or any of them who shall have any Lands due unto him her or them by Virtue of these Conditions nor their Heirs nor Assigns shall give Grant sell Alien or assign any of those Lands tenements or hereditaments within the said Province (which shall be assigned or Granted unto him or them from his said Lordship or his heirs or which such Adventurors or Planters or any of them shall Possess and enjoy by Virtue of these Conditions) to any Corporation Society Fraternity Guild or Body Politick either Spirutual or Temporal or to any other Person or Persons in trust for them or any of them or to such use or uses or to any use or Uses Comprized mentioned or forbidden in any of the Statutes of Mortmayne heretofore made in the Kingdom of England at any time before the Reign of Henry the Eighth who was King of that Realm without particular and especial License first had and Obtained for that purpose under the hand and the Seal at Arms of his Lordship or his heirs upon pain of forfeiture of all such Lands to his said Ldshp and his heirs

11 Every Person whatsoever that shall Claim any Proportion of Land in the said Province of Maryland by Virtue of these Conditions shall demand of his Lordship or his heirs or of his or their Lieutenant or chief Governor of the said Province for the time being a Grant under the Great Seal of the said Province for the Lands so due to him within one year next After the said Lands shall be due unto him and if any Adventuror or Planter shall neglect to make the said demand within the time above mentioned or that he or his heirs or
p. 229 Assigns shall refuse at any time to accept of a Grant from his Lordship or his heirs under the Great Seal of the said Province of such Lands as shall be from time to time due to any such Adventuror or Planter by Virtue of these Conditions when it

shall be Offered unto him or them by his said Lordship or his heirs or by his or their Lieutenant or chief Governor there or by his or their Secretary within the said Province for the time being or shall not perform all things which are Required by these Conditions to be performed by every such Adventuror or Planter Then Every such Adventurer or Planter shall for ever after loose their Respective Rights and Pretences to the said Land

Liber C. B.

Because all Secrett trusts are usually intended to deceive either the Government and State where they are made or some other Persons and by Experience are found to occasion many suits and dissentions therefore no Adventuror or Planter shall take any Grant from his Lordship under the Great Seal of the said Province of any Lands there by Virtue of these Conditions in trust for any other Person or Persons or to any other use or uses then what shall be expressed in the said several and Respective Grants upon pain of forfeiture of the said Lands unto his Lordship and his heirs when any such Secrett trust or uses shall be truly discovered

Given at London under his Lordships hand and
Greater Seal at Arms the Second day of Iuly
1649

The Oath of Fidelity and the forms of Grants before
Mentioned in the Commission and Conditions of Plan-
tation here last before entered are the same here form-
erly entered upon Record with his Lordships Conditions
of Plantation de Anno 1648 Fol

Commission p Brooke

p. 232

C B:

Cecilius Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c^a to our right trusty and Wellbeloved William Stone Esq^r our Lieutenant of the said Province of Maryl^d and to the rest of our Council and other Officers there and to all others whom these may Concern Greeting whereas our trusty and well Beloved Robert Brooke Esq^r doth this next Summers Expedition intend to transport himself his wife Eight Sons and family and a Great Number of other Persons into our said Province of Maryland there to erect make and settle a Considerable Plantation now we having good Experience of the Honour worth and abilities of the said Robert Brooke and of his faithfulness to us and his real desires and intentions for the Good and Prosperity of our said Province Know yee that we do hereby Constitute and appoint him the said Robert Brooke to be Commander under us and our heirs and our and their Lieutenant of the said Pro-

p. 233

Liber C. B. vince for the time being of one whole County within our said Province of Maryland to be newly set forth erected Nominated and Appointed for that Purpose round about and next Adjoyning to the place he shall so settle and Plant in Provided that the said County and such Place of his Settlement and Plantation their or any part thereof do not extend into or intrench upon any County or Countys already nominated settled or disposed of there and to be allotted set out and apportioned by such a quantity and number of miles and such extend and Circumference of Ground as other Countys in our said Province or as Counties in Virginia are usually allotted elected and extended by the best ways and means that our said Lieutenant and he the said Robert Brooke and other our Officers there can find out devise or advise and we do hereby Grant unto him the said Robert Brooke all such Honours Dignities Priviledges fees Perquisites Profits and immunities as are belonging to the said Place and Office of Commander of the said County and as are used and enjoyed by other Commanders of the County of the Isle of Kent or any other County in the said Province to have and to hold the said Place and Office and all Honours Dignities fees Perquisites Profits and immunities as aforesaid untill we or our heirs shall signify our or their Pleasure to the Contrary under our or their hand and Seal at Arms And we do hereby further Grant unto him the said Robert Brooke full Power and Authority to elect and Choose any six or more such

P. 234 able and sufficient men Inhabitants of the said County as he in his discretion shall think fit (to be approved of from time to time by us or our heirs or by our or their Lieu^t of the said Province for the time being) with whom he shall advise and Consult in all matters of importance whom we do hereby appoint shall be by our Lieutenant for the time being from time to time authorized under the Great Seal of our said Province Commissioners for that Purpose and for Conservation of the Peace of the said County in such manner as others are appointed in our said County of the Isle of Kent and we do hereby further empower him the said Robert Brooke to appoint and Call a Court or Courts within the Precints of the said County as often as there shall be Cause and in the said Court or Courts to award in our name all manner of Process hold pleas and finally to hear and determine all Civil Causes and Actions whatsoever happening and arising between any of the Inhabitants of the said County not exceeding in damages or demands the Value of ten Pounds Sterling as also with the Assistance of the said Commissioners or any three or more of them to hear and finally to determine all matters and Offences whatsoever Criminal hapning and Committed within the said County which may be heard and determined by any of the Justices of Peace in England in their

Courts of Sessions not extending to Life or member and we do further hereby authorise him the said Robert Brook to do use and execute all and all manner of Jurisdiction Power and Authority whatsoever for Conservation of the peace of the said County as are or Ought to be used by our Commander of the said County of the Isle of Kent or by the Commander of any other County there and further that he the said Robert Brooke shall from time to time during his being Commander of the said County have Power to elect and appoint such a fit and able Person to be Sheriff of the said County as shall be approved of by us or our heirs or our or their Lieu^t of the said Province for the time being and to elect and appoint all other necessary & inferiour Officers for the Execution of Iustice and Conservation of the Peace within the said County with Allowance of such fees as are usually belonging to the same or the like Officers have in our said Counties of the Isle of Kent and to do all other lawful Acts and things which shall be necessary for the execution of the Power and Iurisdⁿ hereby Committed unto him by us and we do hereby further will and Require you our said Lieutenant of the said Province to Grant unto him the said Robert Brooke a Commission or Commissions under our said Great Seal of our said Province of Maryland to be Commander in chief next under you of all the Forces which shall be Armed levied or Raised in the said County and Power upon any extraordinary Occasion or invasion to arm and array the Inhabitants of the said County and to appoint inferior Officers over them and to lead and Conduct them against all Indians and other the Foreign Enemies thereof and in such Case to fortify any Place or Places in the said County for the better defence thereof in such manner and form and with such Power and Authority as Commissions of that nature are usually made and Granted and we do hereby further will and Grant that he the said Robert Brooke shall from time to time have leave and liberty for his security and better defence against the Indians and other Foreign Enemies (to fortify and Strengthen such place or Places) which shall by us or our heirs or by our or their Lieutenant of the said Province for the time being be thought Convenient and approved of for that purpose) upon the Lands allotted or to be allotted to the said Robert Brooke his heirs or Assigns wthin the said County for his or their Inheritance as aforesaid and we do hereby further will and appoint that this our Grant shall be inrolled and Registered in the Common Registry of the said Province for the better Confirmation and manifestation thereof (for which usual fees are to be paid) and the Inrollment or Registry thereof shall be from time to time a sufficient warrant and discharge to you our said Lieutenant and other our Officers there for the Granting and

Liber C. B.

p. 235

p. 236

Liber C. B. performing all the Acts and things hereby required and enjoined you to perform and do as aforesaid Given under our hand and Greater Seal at Arms this twentieth day of September in the eighteenth year of our Dominion over the said Province Annoq Dni one thousand six hundred forty and nine

Ex

p Gilberton Crouch Secretary

p. 240

Brooke Esq^r of the Council

C Baltimore

Cecilius &c^a to our trusty and well Beloved William Stone Esq^r our Lieutenant of the said Province of Maryland and to the rest of our Council and other Officers there and to all others whom it may Concern Greeting whereas our trusty and well Beloved Robert Brooke Esq^r doth this next Summers Expedition intend to transport himself his wife eight Sons and family and a Great number of other persons and Good Store of Provision and Ammunition into our said Province of Maryland there to erect make and settle a Considerable Plantation Now know yee that we having good experience of the Honour worth and Abilities of the said Robert Brooke and Reposing especial trust and Confidence in his wisdom diligence and experience do upon such his settlement and plantation in our said Province as aforesaid by these Presents Constitute and Appoint him the said Robert Brooke to be one of our Privy Council of State within our said Province of Maryland until we or our heirs shall signify our or their Pleasure under our or their hand and seal at Arms to the Contrary and we do hereby Give and Grant unto him the said Robert Brooke full Power and Authority for that Purpose from time to time and at all times during his so being of our Privy Council to meet and assemble himself in Council upon all Occasions..... with our Lieutenant of the said Province for the time being and others of our Council there and in all things to do and Act with them as of one of our Privy Council of the said province in as ample manner and form as any other Privy Councillor can may or ought to do (as being of our Privy Council there and we do hereby further will and Grant that he the said Rob^t Brooke shall have receive and enjoy all such Powers Dignities Preheminences Iurisdiccions priviledges immunities and Advantages whatsoever which are belonging and incident to one of our Privy Councillors there in as large and ample Manner and form as any other Privy Councillor of our said Province (as a Privy Councillor there) may can or ought to have and enjoy by force and Virtue of any Grant Commission or warrant from us for that Purpose and upon such his Settle-

ment and Plantation in our said Province as af^d We do further hereby Constitute and appoint him the said Robert Brooke to be one of our Justices and Commissioners for Conservation of the Peace of our said Province of Maryl^d until we or our heirs shall signify our or their Pleasure to the Contrary and we do hereby also Grant unto him the said Robert Brooke full Power and Authority during the said time to Act as a Justice of Peace throughout the said Prov^e of Maryland in as full and ample manner and form as any other our Justices and Commissioners for Conservation of the Peace of the said Province may can or ought to do According to the Powers given them or any of them by Grant or Commission from us for that Purpose and upon such his settlement and Plantation in the s^d Province as aforesaid we do hereby will and require you and every of you that he the said Robert Brooke may be Received of you and every of you according to that Condition and qualification and may then have use and enjoy the Powers dignities & Priviledges and immunities of right due and belonging to him as one of our Privy Council and Justice of Peace within our said Province of Maryland and we do further will Require and Appoint that this our Grant shall be inrolled and Registred in the Common Registry of our said Province of Maryland for the better Confirmation and manifestation thereof (for which usual fees are to be paid) and the Inrollment and Registry thereof shall be from time to time a sufficient Warrant and discharge to you our Lieutenant and other Officers there for your suffering performing and doing all the Acts and things hereby required and enjoyned you to suffer perform and do as aforesaid Given under our hand and Greater Seal at Arms the 20th day of September in the 18th Year of our Dominion over the said Province Annoq Dni 1649

Liber C. B.

p. 242

[Commission to Thomas Greene.]

Whereas I Cap^t William Stone Leiveten^{ant} &c of this Province by Comission from the right hoble the Lord Baltimore Lord Proprietary of the same (having occasion to bee for sometime absent out of this Province) doe by vertue of and according to the power and authority to mee granted by the said Comission nominate elect & appoint Thomas Greene esq^r to bee his Lopps Leiveten^{ant}, Generall, Chauncellor or Keeper of the great Seale Admirall, cheife Justice, Magistrate, and Commander as well by sea as by land of this his Lopps Province of Maryland and the Islands to the same belonging during my absence out of this Province or vntill his Lopp or his heires signify his or theire pleasure to the contrary in as large and ample manner as his Lopp hath by the said Comission author-

Liber A.
p. 276

Liber A. ized mee to governe for the p^rsent But in case of the said M^r
 Greenes refusall I doe hereby nominate elect & appoint M^r
 Thomas Hatton his Lopps Secretary for the purpose aforesaid
 Witnes my hand this twentieth day of September 1649
 William Stone

Liber C. B.

p. 238

C B: M^r Eltonhead one of the Council

Cecilius &c^a to our trusty and well Beloved Will^m Eltonhead
 p. 239 Esq^r Greeting Know yee that we reposing special trust and
 Confidence in your Wisdom diligence and Experience do by
 these presents constitute and appoint you to be One of our
 Privy Council of State within our said Province of Maryland
 until we or our heirs shall signify our or their Pleasure to the
 Contrary and we hereby Give unto you full Power and Author-
 ity for that purpose from time to time and at all times during
 your so being of our Privy Council to meet and Assemble your
 self in Council upon all Occasions with our Governor and
 others of our Council there and in all things to do and act with
 them as one of our Privy Council of the said Province in as
 ample manner as any of them can may or ought to do (as being
 of our Privy Council there) and we do hereby further will and
 Grant that you have receive and enjoy all such Powers Dignities
 Preheminences Iurisdictions Priviledges immunities and Ad-
 vantages whatsoever which are belonging and incident to one
 of our Councillors there in as large full and ample manner and
 form as any other Privy Councillor of our said Province (as a
 Privy Councillor there) may can or ought to have and enjoy
 by force and Virtue of any Grant Commission or Warrant from
 us and we do hereby further Constitute and appoint you to be
 one of our Iustices and Commissioners for Conservation of the
 Peace of our said Province of Maryland until we or our heirs
 shall signify our or their Pleasure to the Contrary and we do
 hereby also Grant unto you full Power and Authority during
 the said time to act as a Iustice of Peace of the said Province
 of Maryl^d in as full and ample manner and form as any other
 our Iustices and Commissioners for conservation of the Peace
 of the said province may can or ought to do according to the
 Powers Given them or any of them by Grant or Commission
 p. 240 from us for that purpose Given under our Hand and Greater
 Seal at Arms the 29th day of September in the eighteenth Year
 of our Dominion over the said Province Anno Dni 1649

Liber A.

p. 323

By the Leiveten^{ant} &c of Maryland 1649

Procl published eod Whereas by p^{cl}am dated the 13th day of
 Aprill last & published within this Province ffor the reasons

therein exp^rssed It was on the behaulf of the right ho^{ble} the Lo: Liber A.
Prop^{ty} of this Province and by his direccōn declared That it was
his Lopps will & pleasure that all such persons then resident
within this Province or in the Collony of Virginia that p^rtended
any right to any lands w^{ch} haue beene due vnto them or any of
them within this Province by vertue of any Condi^cōns of Plan-
tacōn or other warr^t vnder his Lopps hand & Seale at any time
before the 17th day of March last past, for w^{ch} noe Grants vnder
his Lopps great Seale here, were passed vnto them should some
time before the first day of November next come and make
theire right appeare vnto his Lopps Leiveten^{ant} of this Province
or to such deputy as hee should ordeyne & appoint (In case of
his absence or death) for the Govern^t of this Province vnder
his Lopp, w^{ch} they p^rtended to any such lands, and after survey
thereof and before the said first day of Novembr next demand
Grants for the same vnder his Lopps newe Great Seale of this
Province And therevppon they should haue Grants speedily
passed to them according to Justice As by the said Proclamacōn
remayning vppon record with the Secretary of this Province
more at large amongst other things it doth & may appeare
Nowe forasmuch as I am credibly informed that divers of the
Inhabitants of this Province who haue land due to them by
vertue of former Condi^cōns could not attend the survey thereof
by the time limited in the said Proclamacōn without great
damage to bee by them incurred by leaving theire Cropps in
the meane time, w^{ch} must necessarily haue beene very p^riudiciall
both to themselues and to the comōn wealth Vppon consideracōn
whereof I haue thought fitt and doe hereby declare that all &
every such person & p^{sons} who haue yet any land due to them
or any of them by vertue of any former Condi^cōns or warr^t in
the said Proclamacōn mencōned and for w^{ch} noe Grants vnder
his Lopps great Seale here are yet passed shall haue further
time till the 25th day of March next after the date hereof to
make theire right appeare and demand Grants as by the said
Proclamacōn is directed Given at St Maries this 30th day of
October Anno dñi 1649

Tho: Greene.

By the Governor of Maryland 1649

p. 324

Procl published eod Whereas Charles of blessed memory King
of England Scotland ffrance and Ireland defender of the faith
&c is lately deceased These are to give notice to all persons
whom it may concerne, and in especiall to all and singular the
Inhabitants of this Province of Maryland, that his eldest sonne
Charles the most renowned Prince of Wales the vndoubted
rightfull heire to all his ffathers dominions is hereby p^rclaymed

Liber A. Kinge Charles the second of England Scotland ffraunce & Ireland defender of the ffaith &c Long live King Charles the second Given at S^t Maries this 15th of November 1649
Tho: Greene

By the Governor &c of Maryland

Procl published eod Whereas the Kings most excellent Ma^{ty} Charles the second by the grace of God King of England Scotland ffraunce and Ireland defender of the ffaith &c Was by Order of the Governor & Counsell publiquely this day p^layed King In commemoracōn thereof and to further the comōn reioyceing of the Inhabitants vppon that occasion and that none of them may bee debarred therefrom I doe therefore in the Lord Proprietaries name hereby declare and pⁿounce a generall pardon to all and every the Inhabitants of this Province for all and every Offence and offences by them or any of them comitted since the last gen^rall pardon published within this Province and for all ffine forfeiture or penalty for or by reason thereof due Given at S^t Maries this 15th day of November 1649

Tho: Greene

Orders of the Councell of State.

Die Veneris 14th Decembris 1649.

That the Petition and Remonstrance of Captaine Richard Ingle concerning Maryland, bee referred to the consideration of the Committee, for the Admiralty.

Vol. 146 Die Jovis 20^o Decemb^{rs} 1649.

At the Councell of State &c.

Virginia business This day being appointed for heareing and take-
to be heard 28th ing into consideration the busynesse of Virginia
inst: Mr Maurice Plantation and Marie Land in the partes of
Thompson &c to America This Committee by Reason of other
attend. weighty affaires of the Commonwealth, have thought fitt to
deferr the heareing thereof till the 28th of this moneth December
and doe therefore Order that notice thereof be given to M^r
Worsley, M^r Maurice Thompson M^r Allen of Marke lane and
such Merchants and others as M^r Thomson and M^r Worstley
shall think fitt to give notice unto to attend the Committee the
same tyme

Ex^r R: Coytmore Secretary.

Maryland business to be heard on Thursday come Seven night. That upon the Information this day given in by Capt. Ingle and Robert Rawlins concerning the Plantation of Maryland under the Lord Baltimore It is ordered that the whole businesse be resumed and heard upon Thursday come sevensnight, and that the sayd Lord Baltimore Capt. Ingle and Robert Rawlins are to attend this Committee at that tyme, that there may be a hearing on both partes.

P. R. O.
Domestic
Interregnum.
Vol. 146.

By command of the Committee
Ex^r Rob: Coytmore Secretary.

Mr Jessop to bring in the Pattent of Maryland. Upon the information this day given in by Captaine Ingle and Robert Rawlins concerning the Plantation of Mary Land under the Lord Baltimore, It is ordered that the Pattent of the said Plantation, now in M^r William Jessop's hands, as is informed, with other papers concerning Virginnia be brought to this Committee upon Thursday come sevensnight. By command of the Committee

Ex^r Rob: Coytmore. Secretary.

Die Jovis 10^o January 1649.

At the Committee &c.

Maryland business to be heard on Wensday next. Upon an Information formerly given in to this Committee by Captain Ingle and Robert Rawlins concerning the Plantation of Maryland and the Lord Baltimore Order was made by this Committee that the said Lord Baltimore Captain Ingle and Robert Rawlins should have notice to attend here this day that there might be a hearing on both partes. And upon the appearing of the said Captain Ingle Robert Rawlins and the said Baltamores Agent this day, desiring a further day for the heareing of this businesse. It is ordered that Wensday next in the afternoon be appointed for heareing of the said Businesse, and that the sayd parties are then to attend this Committee concerning the same.

Sir Hen: Vane
Val. Walton
W^m Purefoy.

Die Martis 15^o Januar 1649.

At the Committee &c.

Summons for Witsnesse for the Lord Baltimore. Whereas an Information hath bene given unto this Committee by Capt: Ingle and Robert Rawlins against the Lord Baltimore concerning Mary Land, which information is to be heard att this Committee

P. R. O. upon Wensday next being the 16th present And for that this
 Domestic Committee is desired (on the behalfe of the said Lord Balta-
 interregnum. more) to graunt forth an Order for Summoning in of the per-
 Vol. 146. sons hereafter mentioned to give their testimony in this busi-
 nesse. It is therefore ordered that M^r Maurice Thomson M^r
 Thomas Stegg M^r Richard Chaundler M^r William Allen M^r
 Mathew Crouch M^r Roach, Dennis Corbin, Henry Williams
 and Henry Stockdale doe attend this Committee att that time
 betweene 3. and 4. of the Clock in the afternoon to give in
 their Evidence touching the same.

By command of the Committee.

Ex^r Rob: Coytmore. Secretary.

Die Mercurij 16^o Janur. 1649.

At the Councell of State &c.

Sir Nath: Brent &c to
 be summoned on be-
 halfe of the Lord Bal-
 tamore.

Whereas a businesse depending between
 Capt. Richard Ingle and the Lord Baltimore
 concerning Mary Land is to be heard at this
 Committee upon the 30th Instant January and his Lordship
 desiring our Order for the summoning of severall witnesses
 hereafter mentioned to deliver their testimony therein on his
 behalfe. Ordered that Sir Nathaniell Brent, M^r Maurice Thom-
 son, M^r Tho: Stegg M^r Richard Chandler M^r William Allen
 M^r Mathew Crouch M^r Roach Dennis Corbin, Henry Williams
 and Henry Stockdale be summoned to appeare at this Com-
 mittee on that day about 3. of the Clock in the afternoon
 accordingly

By command of the Committee

Ex^r Rob: Coytmore. Secretary.

At the Committee &c.

Lord Baltimore to give
 in his answer this day
 fortnight.

The Lord Baltimore appearing this day
 by Order of this Committee touching a Remon-
 strance given in against him by Capt. Ingle,
 and his Lordship alleadging that in regard he having but
 newly heard of it, and that some of his Witnesses are not in
 England but are shortly expected, desires further tyme to give
 in his Answer. It is therefore ordered that the said Lord Bal-
 tamore doe give in his Answer to the sayd Remonstrance in
 Writing unto this Committee upon this day fortnight, and that
 he then bring with him such Witnesses as he hath in England
 touching this businesse, att which tyme this Committee will
 take into consideration what further tyme may be given for the
 bringing in the rest of his Witnesses if there be cause and that

Capt. Ingle doe alsoe then attend this Committee and bring in his Witnesses And that all parties concerned herein have notice of this Order.

P. K. O.
Domestic
Interregnum.
Vol. 146.

By command of the Committee
Ex^r Rob: Coytmore. Secretary.

Die Martis 22^o Januar: 1649.

Maryland business Mr Winslow and others summoned to attend.

Whereas Capt. Richard Ingle hath presented to this Committee a Remonstrance touching the Lord Baltimore's Government of the Plantation of Maryland of which a heareing is appointed to be had att this Committee on the 30th day of this Instant January in the afternoon. And for that Captaine Ingle hath desired our Order for the summoning of severall Witnesses hereafter expressed to testifie their knowledge in that Matter. Ordered that Capt. Leverett M^r Edward Winslow M^r Richard Allen M^r Anthony Penniston M^r Charles Cawley and M^r Parham doe attend this Committee on the day and in the businesse before mentioned to deliver testimony concerning the same.

By command of the Committee
Ex^r Rob: Coytmore. Secretary.

Die Martis 29^o January 1649.

Maryland business deferred.

Whereas the hearing of a matter between Capt. Richard Ingle and the Lord Baltimore concerning Maryland is appointed to be had att this Committee to Morrow. This Committee in respect of extraordinary Occasions not permitting them to heare the same to morrow, Doe order that to Morrow come seavennight be appointed for reasuming the said Business and that Captain Ingle and the Lord Baltimore have speedy Notice to attend this Committee accordingly.

By command of the Committee
Ex^r Rob: Coytmore. Secretary.

Die Jovis 31^o January 1649.

At the Committee &c.

Maryland

Whereas a businesse between Captain Richard Ingle and the Lord Baltimore concerning Maryland is appointed to be heard at this Committee on Wensday next in the afternoone And that Capt. Ingle hath desired our Order for the summoning of severall witnesses hereafter mentioned to attend this Committee on his behalfe, accordingly ordered

P. R. O. that Captain Leverett, M^r Edward Winslow, M^r Richard Allen
Domestic M^r Anthony Pemmiston, M^r Charles Cawley, and M^r Perham
Interregnum, doe give their attendance att this Committee att that tyme.
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By command of the Committee
Ex^t Rob: Coytmore. Secretary.

Die Mercurij 6^o Februar: 1649

At the Committee &c.

Maryland. This day being appointed for the heareing of the businesse of Maryland betweene Capt: Ingle and the Lord Baltimore is by reason of other speciall occasions not permitting this Committee to sitt to heare the same, Deferred and Ordered that to morrow come seavennight bee appointed for hearing the same and that the parties concerned therein doe give their attendance att this Committee att that tyme

Sir Hen: Vane
Coll: Purefoy.

Die Mercurij 13^o Februar: 1649.

At the Committee &c.

Ordered

Maryland That the businesse of Maryland between Capt: Ingle and the Lord Baltimore appointed to be heard att this Committee to morrow be by reasone of other speciall occasions deferred till to morrow come Seavennight, and that the parties and witnesses concerned therein doe then give their attendance between three and foure of the Clock in the afternoone att this Committee &c.

Sir Hen: Vane
Coll. Purefoy.

Vol. 92, p. 7.

Orders of the Councill of State

Die Martis 19^o February 1649. (—50)

That the remonstrance of Captaine Ingle concerning two shippes goinge to Virginia be referred to the Consideration of the Committee for the Admiraltie who are to examine the fact and report to the Councill and in the meane tyme if they see cause to make stay of the shippes.

By the L^t &c of Maryland

Liber A.
P. 325

Procl published eod Whereas I haue heretofore by a note vnder my hand appointed M^r Richard Husbands Marriner Admirall or Vice Admirall vnder mee of this Province I doe hereby in

respect of some grosse abuses and miscarriages of the said
Husbands revoake and make voide any authority by mee here-
tofore granted to him the said M^r Husbands Whereof I require
all the Inhabitants of this Province to take speciall notice Given
vnder my hand this 23th of ffebruary 1649

Liber A.
Domestic
Interregnum.

Willm Stone

The deposicōn of John Russell of the Isle of Kent
within this Province of Maryland planter taken the 25th
day of ffebruary 1649 before the Governer & Secretary
of the said Province vppon Oath as followeth viz:

The said depon^t saith that yesterday being the 24th day of
this p^rsent Moneth of ffebruary hee this depon^t being aboard
the Shipp called the Greene Poppingay nowe riding in S^t
Georges River then & there heard John dandy wish M^r Hus-
bands Marriner to haue a care what hee said or Words to that
purpose. Wherevpon the said Husbands tould the said dandy,
if hee had him aboard his owne Shipp hee would teach him better
manners or to that effect, and therevppon commanded the said
dandy to goe with him the said Husbands aboard his owne
Shipp, and the said dandy refusing soe to doe the said M^r
Husbands laid violent hands vppon the said dandy endeavoring
(as this depon^t Imagined) to inforce him aboard his owne Shipp,
Wherevppon the said Husbands & dandy struggling together
the said Husbands called to his Seamen who were then in a
Boate at the Shipp's side where they were soe contesting, and
commanded them to assist him to carry or inforce the said
dandy aboard his the said Husbands Shipp. And therevppon
one of the said Husbands Seamen came vpp vnto them and
intreated the said dandy to goe along with them, who there-
vppon did goe with the said Seaman into the said Boate And
the said M^r Husbands remayning there still aboard comāded
the said Seaman to carry the said dandy aboard his owne Shipp
and then to returne back for him the said Husbands And this
depon^t conceiveth the said Husbands was at that time some-
what in drinke And further saith not

p. 326

Jurat coram nob die & Anno p^rdict
Willm Stone Tho: Hatton

Ordered

Maryland That the business of Maryland between Captain
Ingle and the Lord Baltimore appointed to be heard at this
Committee to morrow, be by reason of the speciall occasions
deferred till Munday next. And that the parties and Witnesses

P. R. O.
Domestic
Interregnum.

P. R. O. formerly summoned to appeare by order of this Committee doe
 Domestic then give their attendance between three and fower of the Clock
 Interregnum. in the afternoone att this Committee.

By Command of the Committee
 Ex^r Rob: Coytmore, Secretary.

Die Lunæ 25° Februar 1649.

At the Committee &c.

Maryland business deferred till Fryday next. Whereas the business of Maryland depending before this Committee between Captain Richard Ingle and the Lord Baltimore was appointed to be heard this day; It is ordered that (by reason of other speciall occasions not permitting this Committee to heare the same at this tyme) it be deferred till Fryday next, Att which time the partyes and wittnesses appointed by former orders to be summoned to appeare doe then attend this Committee between three and four of the Clock in the afternoone.

present Sir Hen: Vane
 Dennis Bond.

Die Veneris primo Martii — 1649.

Ordered

Maryland Dr Walker to
 manage it on the behalfe
 of the State

Upon hearing the Charg read att this Committee given in by Captain Rich: Ingle against the Lord Baltimore concerning the said Lord Baltimore's misdeemeanors in his Government of Maryland, and finding the said Captain Ingle unprovided to prove the same. It is ordered that D^r Walker Advocate for the State, and M^r David Budd their Proctor be desired to examine the papers of Captaine Ingle who are likewise desired to attend this Committee on Fryday next to state the business and to mannage the same on the behalfe of the State, att which tyme the business is to be heard, And in the meane tyme the wittnesses and partyes concerned therein are to attend this Committee accordingly

Captain Mitchell of the Council

C B:

Cecilius &c^a to our right trusty and Well Beloved William Stone Esq^r our Lieutenant of the said Province of Maryland and to the rest of our Privy Council and other Officers there and to all others whom it may Concern Greeting whereas our trusty and well Beloved William Mitchell Esq^r doth the next Summers expedition intend to transport himself and family and

divers others Artificers Workmen and divers other very useful
Persons in all to the Number of twenty Persons at the least
into our said Province of Maryland there to erect and make
and settle a Considerable Plantation and for that purpose hath
well Stored himself with Provisions and Ammunition for the
better Supply and defence of such his Plantation and Conse-
quently of the said Prov^c and also intends to supply and furnish
such his Plantation with fresh Supplies of men Provisions and
Ammunition as Occasion shall serve which we have Good
Assurance he is able to perform Now know yee that we having
Good Experience of the honour worth and good Abilities of
the said William Mitchell and of his faithfulness to us and his
real desires and intentions for the Good and Prosperity of our
said Province and reposing special trust and Confidence in his
Wisdom diligence and Experience do upon such his Settlement
and Plantation in our said Prov^c as aforesaid by these presents
Constitute and appoint him the said William Mitchell to be one
of our Privy Council of State within our said Province of Mary-
land until we or our heirs shall signify our or their
Pleasure to the Contrary under our or their hand and seal at
Arms and we do hereby Give and Grant unto him the said
William Mitchell full Power and Authority for that purpose
from time to time and at all times during his being of our Privy
Council to meet and assemble himself in Council upon all
Occasions with our Lieutenant of the said Province for the time
being and others of our Council there and in all things to do
and Act with them as one of our Privy Council of the said
province in as Ample manner and form as any other Privy
Councillor can may or ought to do as being of our Privy
Council there and we do hereby further will and Grant that he
the said William Mitchell shall have receive and enjoy all such
Powers Dignities Preeminences Jurisdictions Priviledges im-
munities and Advantages whatsoever which are belonging and
incident to one of our Privy Councillors there in as large full
and ample manner and form as any other Privy Councillor of
our said Province as a Privy Councillor there may can or ought
to have and enjoy by force and Virtue of any Grant Commission
or warrant from us and upon such his Settlement and Plantation
in the said Province aforesaid we do hereby further Constitute
and Appoint him the said William Mitchell to be one of our
Iustices & Commissioners for the Conservation of the Peace
within our said Province of Maryland until we or our heirs
shall signify our or their Pleasure to the Contrary and we do
hereby Grant unto him the said William Mitchell full Power
and Authority during the said time to Act as a Iustice of Peace
throughout the said province of Maryland in as full & ample
manner as any other of our Iustices and Councillors for Conser-

Liber C. B.

p. 231

Liber C. B. vation of the Peace of the said Province may can or ought to
do by Virtue the powers Given to them or any of them by
Grant or Commission from us for that purpose and upon such
his settlement and Plantation in the said Province as aforesaid
p. 232 we do hereby will and Require you and every that he the said
William Mitchell may be received of you and every of you
according to the Conditions and qualification and may then
have use and enjoy the Powers Dignities & Priviledges & Im-
munities of right due and belonging unto him as one of our
Privy Council and Iustice of Peace of our said Province of
Maryland and we do hereby further will Require and appoint
that this our Grant shall be Inrolled and Registered in the
Common Registry of our said Province of Maryland for the
better Confirmation and manifestation thereof for which usual
fees are to be paid and the Inrollment or Registry thereof shall
be from time to time a sufficient Warrant and discharge to
You our Lieu^t and other Officers there for the performance
thereof as afores^d Given under our hand and Greater Seal at
Arms the 4th day of March in the eighteenth Year of our
Dominion over the said Province Annoq Dni 1649

Ex^d p me

Gilbtm Crouch Secretary

P. R. O. Maryland Dr Walker and
Mr Budd to attend on
Fryday next. Upon hearing the business of Maryland
this day att this Committee betweene Capt:
Rich: Ingle and the Lord Baltimore. It
is ordered, that in regard this Committee cannot receive a full
hearing of the business That it be reassumed on Fryday next
by this Committee, And that D^r Walker Advocate for the State
and M^r Budd their Proctor be desired to be heare att that tyme,
And that all witnesses formerly summoned in this business are
then likewise to attend att three of the Clock in the afternoone.

Ordered

Sir Tho: Reeves to attend
on Fryday next. That Sir Thomas Rives be summoned
to attend this Committee on Fryday next
att three of the Clock in the afternoone to deliver his testimony
in a matter depending upon this Committee between Capt: Ingle
and the Lord Baltimore.

Die Veneris 15^o Martii 1649.

At the Committee &c.

Mr Attorney Genrall &
Dr Walker to prove
the validity and inva-
lidity of the Grant of
the Lord Baltimore. That after severall debates of the business
depending before this Committee betweene
Capt: Richard Ingle and the Lord Baltimore
referred by an order of the Councell of
State touching a Commission graunted to Leonard Calvert

Esq^{re} Brother to the said Lord Baltimore, by the late King att P. R. O. Oxford in the yeare 1643. It is this day ordered by this Committee that M^r Attorney Generall and M^r Doctor Walker be desired on the behalfe of the State to take into their consideration the validity and invalidity of the originall Graunt made by the said late King in the 8th yeare of his Raigne to Cicill Lord Baltimore of a Tract of land in America called by the name of Maryland, and that this day fortnight be appointed for the hearing of the same att this Committee att three of the Clock in the afternoone att which tyme M^r Attorney Generall and D^r Walker be desired to be heare and that all partyes and witnesses concerned therein are to have notice to attend accordingly.

[Confirmation of Lands.]

By the Leiveten^{ant} &c of Maryland

Liber A.
p. 323

Procl published
17 April 1650 Whereas by 2 severall Proclamacōns the first bearing date the 13th day of Aprill Anno dni 1649 and the other the 30th of October last & published within this Province ffor the reasons therein expressed It was on the behalfe of the right ho^{ble} the Lo: Prop^{ry} of this Province and by his direccōn declared That it was his Lo^{pps} will & pleasure, that all such persons in the said Proclamacōns mentioned that p^ttended any right to any lands w^{ch} haue beene due vnto them or any of them within this Province by vertue of any Condicōns of Plantacōn or any other Warr^t vnder his Lo^{pps} hand & Seale at any time before the 17th of March 1648, for w^{ch} noe Grants vnder his Lo^{pps} Great Seale here were passed vnto them should by the times limited in the said severall Proclamacōns come & make their right appear vnto his Lo^{pps} Leiveten^{ant} of this Province or to such deputy as hee should ordeine & appoint in case of his absence or death for the Govern^t of this Province vnder his Lo^{pp}, w^{ch} they p^ttended to any such lands and after survey thereof and before the said times limited demand Grants for the same vnder his Lopps newe Great Seale of this Province And therevppon they should haue Grants speedily passed to them according to Justice. As by the said Proclamacōns remayning vppon record with the Secretary of this Province more at larg (amongst other things) it doth & may appeare. Nowe for that I am informed that divers persons both here and in Virginia and else where who haue land due to them by vertue of former Condicōns vppon p^tence of not having notice of the said former Proclamacōns haue not yet taken vpp the same To the end therefore that noe man may for the future iustly p^ttend ignorance or other excuse for their neglect herein I haue againe thought

Liber A. fitt and doe hereby declare that all & every person & persons who haue yet any land due to them or any of them by vertue of any former Condiçōns or warr^t in the said Proclamaçōns and herein before mencōned, and for w^{ch} noe Grants vnder his Lo^{pps} great Seale here are yet passed shall haue further time till Michaelmas day next after the date hereof to make theire right appeare & demand Grants, as by the said Proclamaçōns and herein before is declared And all such persons are hereby required to take notice hereof pemptorily who if they neglect or refuse to comply herein are not to expect any further time then the day herein before limited W^{ch} is to bee finall and binding to all intents & purposes in the said former Proclamaçōns mencōned Given at St Maries this 25th day of March Anno dni 1650

Willm Stone

Die Jovis 4^o Aprilis 1650.

P. R. O.
Domestic
Interregnum.
Vol. 92,
p. 161

That it be recommended to the Committee for the Admiralty to affixe a day to the Lord Baltimore for his comeing to answere to Captaine Ingle, and to declare to him that if he doth not appeare with his answere at the tyme appointed, they shall proceed to make a report thereof.

Die Martis 2^o Aprilis 1650.

At the Committee &c.

Ordered

Maryland business to be heard on this day seven-night. Lord Baltimore to be writt to to attend.

That the business depending before this Committee betweene Captaine Ingle and the Lord Baltimore concerning the said Lords Pattent of Maryland be heard att this Committee on this day sevensnight; And that the Councell be moved that a Letter be writt to the said Lord Baltimore to appeare att that tyme.

Die Veneris 5^o April 1650.

At the Committee &c.

Lord Baltimore to attend the 28th instant.

In pursuance of an order of the Councell of State dated the 4th instant wherein it is recomended to this Committee to affix a day to the Lord Baltimore for his coming to answer to Captain Ingle and to declare to him that if he doth not appeare with his answere att the tyme appointed they shall proceed to make a Report thereof. It is ordered by this Committee that Thurs-

day next come sevensnight being the eighteenth instant be appointed for the said Lord Baltimore to appeare att this Committee and that he have notice thereof given him in the meane tyme.

P. R. O.
Domestic
Interregnum.

By the Leive^t &c of Maryland

Liber A.
p. 339

Procl published eod
Whereas divers Licences or Warr^{ts} haue beene heretofore granted since the last gen^{all} Assembly to severall Inhabitants of this Province for killing of Wild Hoggs ymploying Indians to kill deere with Gunnes, and some to florreyners to hunt & kill deere within this Province w^{ch} hath occasioned some inconvenience & hath given great offence to divers of the Inhabitants of this Province as I haue beene informed I haue therefore thought fitt and doe hereby revoake annihilate & make voide all Licences or Warrants before mencōned whatsoever or by whomsoever granted And doe declare that they nor any of them after the date hereof shalbe noe longer in force Whereof all the Inhabitants of this Province and all other persons who haue had any such warrants or licences granted vnto them or any of them & all others whom it may concerne are hereby required to take speciall notice hereof & in all things to comply with & yeild their ready obedience vnto two severall Acts made in that behaulf the last Assembly one of them intituled an Act touching Indians and the other an Act touching Hoggs &c vppon pill of such ffine penalty forfeiture or punishm^t as in them or either of them is provided for Offenders against the same Given at St Maries this 29th day of Aprill Anno dñi 1650

W^m Stone

Whereas I Cap^t William Stone Leiveten^{ant} &c of this Province of Maryland by Comission from the right ho^{ie} the Lord Baltemore Lord Proprietary of the same, having occasion to bee for sometime absent out of this Province, doe by vertue of & according to the power and authority, to mee granted by the said Comission, nominate elect and appoint Thomas Hatton gent (his Lo^{pps} Secretary) to bee his Lo^{pps} Leiveten^{ant} Generall, Chancellor or keeper of the Great Seale, Admirall, cheife Justice Magistrate and Comāder as well by Sea as by land of this his Lo^{pps} said Province of Maryland and the Islands to the same belonging duringe my absence out of this Province or vntill his Lo^{pps} or his heires signify his or their pleasure to the contrary in as large and ample manner as his Lo^{pp} hath by the said Comission authorized mee to governe for the p^{sent}. Witnes my hand this 22th day of May Anno dni 1650

p. 334

William Stone

Liber B. The names of People come out of England and arrived in
p. 165 Maryland June 30 1650 at the Cost and charge of Robert
Brooke Esq.

| | | |
|---------------|----------------|-----------------------|
| Robert Brooke | Thomas Brooke | John Brooke |
| Mary his wife | Charles Brooke | W ^m Brooke |
| his Children | Roger Brooke | ffrancis Brooke |
| Baker Brooke | Robert Brooke | Mary Brooke |
| | | Anna Brooke |

p. 166

Men Servants

| | | |
|----------------------|------------------------|-----------------------|
| Marke Levesay | W ^m Bradney | Richard Robinson |
| Marke King | Phillip Harwood | Anthony Kitchin |
| W ^m Jones | Thomas Joyce | Robert Hooper |
| James Leigh | Henry Peere | W ^m Hinson |
| John Chifford | Thomas Elstone | John Boockock |
| Benjamin Hammond | Edward Cooke | David Bowen |
| Robert Sheale | Ambrose Briggs | Henry Robinson |

Maid Servants

| | | |
|----------------------|-------------------|------------|
| Ann Marshall | Abigael Mountague | } 40 psons |
| Katherine ffisher | Eleanor Williams | |
| Elizabeth Williamson | Agnes Neale | |
| Margarett Watts | | |

22^{do} July, Robert Brooke Esq and his two Sons Baker Brooke and Thomas Brooke tooke the Oath of fidelity annexed to his Lordships last Condiçōns of Plantacōn.

Eod die — Robert Brook Esq and M^r W^m Eltonhead took the Oath of Councillors.

p. 170

By the Lieuten^t &c of Maryland

These are in his Lordps name to authorise and appoint Cap^t Robert Vaughan Commander of the Isle of Kent County within the Said Province of Maryland to grant warrants for Land within the Said County to any Adventurers or Planters according to his Lordps Condiçōns of Plantacōn, whereupon Such Land Shall happen to be due to Such adventurers or planters respectively he the Said Cap^t Robert Vaughan Causeing the Said warrants together with the particular demands or assignm^{ts} upon which the Same Shall be granted to be entred upon Record by his Lordps Secretary of the Said Province who is to have his usual due ffes for Such warrants and Entrys Given at Providence in Annarundel County this 29th July Anno Dñi 1650,

W^m Stone

By the Lieutenant &c of Maryland

Liber B.

These are in the Lord Proprietarys name to authorise and appoint M^r Edward LLoyd Gent Commander of Annarundel County in the Said Province of Maryland to Grant warr^{ts} for Land within the Said County to any Adventurers or planters according to his Lordps Condi^cōns of Plantacōns where any Such Land Shall appear to be due to Such Adventurer or Planter respectively, he the Said M^r Edward LLoyd in Convenient time Causeing the Said warr^{ts} together with the particular demands or assignments upon which the Same Shall be granted to be entred upon Record by his Lordps Secretary of the Said Province who is to have his usual due ffes for Such warrants & Entrys Given at Providence this 29th day of July Anno Dñi 1650

W^m Stone

By the Lieuten^t &c of Maryland

Liber B.
p. 169

Comission to the
Commander of
Annarundel County

William Stone Esq Lieuten^t General Chief
Governor and Commander &c of the Province
of Maryland by Comission from the Right

Honble Cecilius &c Baron of Baltemore Lord Proprietary of the Same Province To M^r Edward LLoyd Gent Greeting, upon the Great trust and Confidence by me reposed in your fidelity courage and disretion, I doe by these presents constitute appoint and authorise you the Said M^r Edward LLoyd to be Commander of the County of Annarundell within our Said Province and of all and every the Inhabitants thereof, And I doe hereby Grant unto you all ffes perquisites and profits to the Said Place or office belonging till the Said Lord Propriary or his heirs Lords and Propriet^rs of this Province or his or their Lieutenant or Chief Governor here for the time being Shall Signifie his or their pleasure to the Contrary And I doe hereby further Constitute appoint and authorise M^r James Homewood, M^r Thomas Meares, M^r Thomas Marsh, M^r George Puddington, M^r Matthew Hawkins, M^r James Merryman, and M^r Henry Catlyn for the time afores^d to be Comissioners of the Said County, with your Self for granting warrants and Summons and for all other matters of Judicature with whome you are to Consult in all matters of Importance concerning your Said County, And to call and And appoint Courts to be kept within and for the S^d County In which Courts you the Said Commander or your Deputy (being one of the Said Comissioners) with any three or more of the Said Comission^rs there present from time to time are to hold Pleas and finally to determine all Causes and Actions whatsoever Civill happening or ariseing between any of the Inhabitants of the Said County of what value Soever,

Liber B. Saving and reserving to all and every the Inhabitants of the Said County and others liberty of Appeale from the Said County Court to the Provincial Court in any Civil Cause or action to the Value of 20^l Sterling or 2000^l of Tobacco and upwards the party Soe appealing first putting in Sufficient Security to the Said County Court to be answerable for treble damages in Case the Order or Judgment of the Said County Court made in that Cause Shall happen to be Confirmed upon hearing by the Provincial Court, And also to hear and determine all matters Criminal happening and Comitted in the Said County, which may be heard by any Justices of Peace in any County in England in their Courts of Sessions not extending to life or member And further to doe use and execute all manner of Jurisdictiō and authority whatsoever for the Conservaciō of the peace within the Said County as any Justice of Peace in England may or ought to doe by vertue of his Comission for the peace, ffurther likewise authorising you the Said Comānd^r or your Said Deputy, to elect and appoint all necessary Officers for the Execuciō of Justice and Conservaciō of the peace there with allowance of Such ffees as are usually belonging to the Same or the like Officers in Virginia. And to doe all other things, and Acts which Shall be necessary for the execuciō of the power and Jurisdictiō hereby Comitted unto you, Given at Providence this 30th day of July 1650.

W^m Stone

p. 166 16th August 1650

The names of certain persons transported into Maryland in right of whome Thomas Copley Esq demandeth Land.

Transported Anno 1633

| | | |
|-----------------|--------------------------|-------------------|
| Mr Andrew White | Henry Bishop | Jo: Hilliard |
| Mr Jo: Altam | Rich ^d Lusted | Mathias Zause |
| Tho Slatham | Tho Heath | ffra Molcto |
| Robert Simpson | W ^m Ashmore | Lewis ffreman |
| Mary Jennings | Rob ^t Sherley | James killed at } |
| | | Mattapanie - - } |

Transported Año 1634

| | | |
|-------------------|----------------|-------------|
| Mr ffancis Rogers | Richard Harvey | John Bryant |
| John Hill | Xpofer Carnoll | |

16th August 1650.

Thomas Copley Esq this day entred a demand of twenty thousand acres of Land due to him over and besides what is already entred

August 25th 1650. These presents testify that certain men's names lately delivered into the Secretary's Office by Thomas Copley Esq. were the true and proper Servants of Andrew White Esq one of the first Adventurors into this Province, and that he had divers other Servants whose names I know not for which there is undoubtedly at least eight thousand acres of Land due to the Said M^r White and his Successors upon the first Adventure into Maryland, And I doe further certainly beleive much more Land to be due to the Said Gent for severall Other great Adventures made by them into this Province, whose names I cannot Suddenly remember, upon the latter Conditions, for I doe avouch first and last the Gent aboves^d have transported at least Sixty persons into this Province

Liber B.

p. 167

Tho Green

M^r Hatton.

Luke Gardiner hath desired me to deliver my knowledge concerning what Condiçions of Land his Lordp proposed to the Adventurers into this Province between the years 1633 & 1637, In Compliance wherwth I doe hereby declare that to the best of my knowledge any one transporting five men into this Province were to have 1500 acres of Land to be erected into a Mannor And as I doe believe in my Conscience the Rent was the Same and not greater then was required by the first Conditions of all

yo^rs

Tho: Green

Order of the Councell of State

Die Jovis 3^o Octobris 1650.

The Councell haveing received the petition, and papers presented by M^r Hen: Wallis, on behalfe of divers well affected persons of the Isle of Providence, in Marieland thinke fitt to declare that as the Parliament have already expressed themselves sensible of the condition of the plantation abroad depending upon this Common-wealth and now lately ordered the bringing in the patents of the pretending propyretors, to bee considered of soe this Councell according to their Trust in that behalfe, will proceed to take care of the welfare of those plantations, and of such there as reteine their Integrity and good affection to the parliament and present Government, and doe for the present referr the matters be remonstrated to M^r Wallis to a Committee of their owne number to debate the same and present their opinion to the Councell for further consideration.

This is made void
by the Governors
order 3 Julij 1654
Li. B.

The Governor this day with the advise of the
Councell erected the Southside of Patuxent
River beginning at the Sasquehannah Point

Liber A.
P. 378

P. R. O.
Domestic
Interregnum.
Vol. 38, p. 73

Liber A. extending it self from thence into the Middle of the Woods towards S^t Maries Southward, and from thence Westward along the middle of the Woods betwixt Patomeck and Patuxent Rivers as farr as Matapania towards the Head of Patuxent River and from thence againe Eastward along the River side to the said Sasquehannah Point, into a County by the name of Charles County, and Robert Brookes Esq^r to bee Commander thereof

Liber B.
p. 290

By the Lieuten^t &c of Maryland.

p. 291 Whereas upon importunity of Several Inhabitants of this Province divers warrants have been of late by me Granted for the Implying of Indians to kill deer with Gunns under Colour whereof as I am given to understand this County of S^t Maries and the Ports adjoyning are very much pestered with great Concourse of Indians of Several nations to the Annoyance and terror of divers of the Inhabitants here and Excessive wast and destruction of the Game of this Province and disperseing and Scattering of the Cattle and hoggs of the Inhabitants to their Great Prejudice and detriment upon Consideracōn whereof I have thought fit and doe hereby make voyd and null all warrants by me Granted at any time heretefore to any of the Inhabitants of this Province or Others for implying of Indians to kill deer with Gunns whereof all and every the Said Inhabitants and others are hereby required to take Speciall notice and to Submitt in all things hereunto and to an Order of Assembly heretefore made and Still in force for the restraint thereof upon the penalty therein expressed, and to that purpose all and every the S^d Inhabitants and others who have delivered any Gunns to any Indians for the purpose aforesaid are withall Convenient Speed after the Publicacōn hereof to take or Cause the Same to be taken from them as they will Answer the Contrary at their Perils, Given at S^t Maries this 20th day of November Anno Dni 1650.

W^m Stone

A Proclamacōn concerning his Lordps rents

By the Lieuten^t &c of Maryland.

Whereas I am given to understand that the paym^t of his Lorps Rents hath been heretefore by many very much neglected, which I look upon as a very great contempt ag^t his Lordp and the Governm^t here inhabited under him, These are therefore in the Lord Propriar^ys name Strictly to charge and require all and every the Inhabitants of this County of S^t Maries, understood to Comprehend all Plantacōns for which any Rent is as yet due in this his Lordps Province on this Side of

the River Patuxent from whome any Rent to his Lordp is payable either for the year ended at Christmass Last past or any other Rents arrears that they and every of them bring the Same to St Maries upon or before the twelfth day of february next ensueing the date hereof, and then and there pay in the Same at the dwelling house of Mr Thomas Hatton his Lordps Attorney General who will give them acquittances therefore & herein they are not to fail upon the penalty of being proceeded against in Such Strict and Severe manner as their Contempt & neglect hereof Shall deserve, And together with his Lordps Rents they are to bring in and pay unto me at my dwelling house at St Maries aforesaid half a bushell of Corne p poll for every taxable pson within this County of St Maries which is allowed unto me p order of an Assembly Given at St Maries the 8th day of Jan'y Anno Dñi 1650:

Liber B.
p. 292

William Stone

By the Lieuten^t &c of Maryland.

p. 239

According to the direction and appointm^t of the Right Honble the Lord Baltemore Lord Propriary of this Province in his Lordps Declaracōn under his hand and Seal of the Sixth of August Last I have thought fit and doe hereby allow unto his Lordps Attorney Generall Mr Thomas Hatton for his pains in the Execucōn of that Office this present year 1650, One thousand pounds of Tobacco and Caske or the Value thereof out of his Lordps Rents and Revenues, here, as also the Said quantity of Tobacco and Caske or the value yearly during his the Said Mr Hattons Continuance of that imployment, or that his Lordps pleasure be further therein Signified to the Con-

21 Nov^{er}

trary and published in this Province Given at St Maries this tenth day of January Anno Dñi one thousand Six hundred and fifty

W^m Stone

Major Gibbons Council. and
Admiral

Liber C. B.
p. 236

C B:

Cecilius &c^a to our right trusty and well Beloved William Stone Esq^r our Lieutenant of our said Prov^s of Maryland and to the rest of our Council there and other Officers there Greeting Know yee that we having good experience of the Honour Worth and Abilities of Edward Gibbons Esq^r Major General of New England and of his Affection and Good will to the prosperity of us and our Colony in the said Province of Maryland and Reposing special trust and Confidence in his Great Wisdom fidelity and experience do by these presents Constitute and appoint him the said Edward Gibbons to be one of our

p. 237

Liber C. B. Council of State within our said Province of Maryland and do hereby Grant unto him the said Edward Gibbons full Power and Authority for that purpose from time to time when he shall be in our said Province to meet and Assemble himself in Council upon all Occasions with our Lieu^t of the said Province for the time being and those of our Council of State there, And in all things to do & act with them as One of Our Council of State in the said Province in as ample manner and form as any other of our Council of State there may or ought to do as being of our Council there and we do hereby further will and Grant that the said Edward Gibbons shall have receive and enjoy all such Powers dignities Preheminences Iurisdictions Priviledges immunities and Advantages whatsoever which are belonging and incident to one of our Council of State there in as large full and ample manner and form as any other of our Council of State in our said Province as a Councillor of State there) may can or Ought to have and enjoy by force and Virtue of any Grant Commission or warrant from us for that purpose and we do hereby further Constitute and appoint him the said Edward Gibbons to be one of our Justices and Commissioners for Conservation of the Peace of our said Province of Maryland and Grant unto him full Power and Authority when he shall be in our said Province to Act as a Justice of peace throughout the said Province of Maryland in as full and ample manner and form as any other our Justices and Commissioners for Conservation of the Peace of the said Province may can or ought to do according to the Powers Given them or any of them by Grant or Commission from us for that purpose requiring you and every of you that he the said Edward Gibbons may be Received of you and every of you according to that Condition and qualification and may there have use and enjoy

p. 238 the Powers dignities priviledges Benefits and immunities of right due and belonging to him as one of our Council and Justices of Peace of our said Province of Maryl^d as aforesaid and we do further hereby Constitute and appoint him the said Edward Gibbons to be our Admiral of our said Province of Maryland under us and our Lieutenant of the said Province for the time being and will and Require that he have use and enjoy the Powers Dignities Priviledges Benefits and Immunities of right due and belonging to him as Admiral of our said Prov^e under us and our Lieutenant there for the time being all which Powers Offices and Places aforesaid we do hereby declare shall be enjoyed by the said Edward Gibbons till we or our heirs shall signify under our or their hand and Seal at Arms our or their Pleasure to the Contrary & we do hereby further will Require and appoint this our Grant to be inrolled and Registred in our Common Registry of our said Province

of Maryland for the better Confirmation and manifestation thereof the Inrollment and Registry whereof shall be a sufficient warrant and discharge to you our Lieutenant and other Officers there for your suffering performing and doing all the Acts and things hereby required and enjoyned you to suffer perform and do as aforesaid Given under our hand and Greater Seal at Arms the twentieth day of January in the nineteenth Year of our Dominion over the said Province and in the Year of our Lord God 1650

Liber C. B.

Order of the Councell of State

9th of June 1651

P. R. O.
Domestic
Interregnum.
Vol. 48, p. 20

That Richard Thurston Commander of the Ship John Adventure of New England shall have leave to goe to Maryland with his said Ship for the receving of some debts alleadged by him to be due unto him from some persons now there, and to trade with them provided he trades not with anie places in defection to this Commonwealth.

Mr Iob Chandler of the Council

Liber C. B.
P. 322

Cecilius &c^t to our trusty and well Beloved Job Chandler Greeting Whereas we have been informed by our right trusty and well Beloved William Stone Esq^r Lieu^t of our said province of Maryland of your Affection towards us and our said Province and also from your Brother and our good Friend Richard Chandler of London Merchant of your desire and willingness to serve us within our said Province we upon their recommendation reposing special trust and Confidence in your Fidelity Wisdom diligence and experience of affairs in these Parts do by these Presents Constitute and appoint you to be one of our Council of State and also our Receiver General of our said Province of Maryland until we or our heirs shall signify our or their Pleasure to the Contrary and we do hereby Give unto you full Power and Authority for that purpose from time to time and at all times during your so being of our said Council to meet and Assemble your self in Council upon all Occasions with our Lieutenant and others of our Council of the said Province for the time being and in all things to do and Act with them as one of our Council of State of the said Province in as ample manner as any of them can may or ought to do as being of our said Council there and we do hereby further will & grant that you have receive and Enjoy all such Powers Dignities preheminences Iurisdictions Priviledges Immunities fees Profits and advantages whatsoever which are belonging and incident to our Council of State and

Liber C. B. to our Receiver General there In as large full and ample manner and form as any other of our Council or Receiver General of our said Province (as a Counsellor of State and Receiver General may can or ought to have Enjoy or have formerly enjoyed by force and Virtue of any Grant Commission Instrument or warrant from us for that purpose and we do hereby further Constitute and Appoint you to be one of our Justices and Commissioners for Conservation of the Peace of our said Province of Maryland until we or our heirs shall signify our or their Pleasure to the Contrary and we do hereby also Grant unto you full Power and Authority during the said time to Act as a Justice of Peace of the said Province of Maryland in as full and ample manner and form as any other our Iustices and Commissioners for Conservation of the Peace of the said Province may can or ought to do according to the Powers Given them or any of them by any Grant or Commission from us for that Purpose Given under our hand and Greater Seal at Arms the first of August in the twentieth year of our Dominion of the said Province of Maryland & in the Year of our Lord 1651

The forme of a Passe

P. R. O.
Domestic
Interregnum.
Vol. 132.

These are to will and require you to permitt and suffer the bearer hereof _____ to transport himselfe and necessaries _____ without any your Letts or molestations he carrying nothing with him prejudiciall to the State. Of which you are not to faile and for which this shall be your Warrant given at the Councell of State at Whitehall this - - -

To all Customers Comptrolers
and Searchers and all other Officers
of the Ports and Customes.

Heere followeth of all such as have had Passes

| | Name | the Place | Tyme |
|-------|--|--------------|---------------------------------------|
| p. 25 | W ^m Mitchell | to Maryland | 3 ^o Sep ^r 1651. |
| | with his Company their families servants 3 ^r goods and necessaryes they takeing the Engagement. | | |

Domestic
Interregnum.
Vol. 50, p. 84

Instructions for Captaine Robert Denis M^r Richard Bennet, M^r Thomas Stagge and Capt: William Clabourne appointed Commissioners for the Reducing of Virginia and the Inhabitants thereof to their due obedience to the Commonwealth of England.

[26 Sept. 1651.]

Domestic
Interregnum.
Vol. 50.

Whereas the Parliament of England by an act intituled an act prohibiting Trade with the Barbadoes, Virginia Bermudas and Antego hath committed to this Councell severall powers therein expressed for the setling reduceing and governing the said Islands printed Copies of which Acts are herewith delivered unto you. In pursuance whereof a fleet is now set forth victualled Armed and Manned under the command and conduct of Capt. Robert Denis to effect by the blessing of God the ends aforesaid and for the management of that service you are joyntly nominated and appointed Commissioners And for your better directions and proceeding therein you are to follow and pursue these Instructions following.

Such of you as are here are to repaire on board the Ship John or the Guynie Frigott of the States, which of them you shall thinke fitt and wind and weather permitting to sayle to Virginia as Capt: Robert Denis shall direct and appoint.

And upon your arrivall at Virginia you or any two or more of you (whereof Capt. Rob^t Denis to be one) shall use your best endeavours to reduce all the plantations within the Bay of Chesopiack to their due obedience to the Parliament of the Commonwealth of England.

For which purpose you or any two or more of you whereof Captaine Robert Dennis to be one, have hereby power to assure pardon and Indemnity to all the Inhabitants of the said plantations that shall submitt unto the present Government and Authority as itt is established in this Commonwealth. In which pardons you may make such limitations and exceptions as you or any two or more of you whereof Capt: Robert Dennis to be one shall thinke fitt.

And in case they shall not submitt by fayre wayes and meanes you are to use all Acts of Hostillity that lyes in your power to enforce them. And if you shall find the people soe to stand out as that you can by noe other wayes or meanes reduce them to their due obedience you or any two or more of you (whereof Capt: Rob^t Dennis to bee one) have power to appoint Captains and other Officers &c to raise forces within every of the plantations aforesaid for the furtherance and good of the service; And such persons as shall come in unto you and serve as soldiers if their Masters shall stand in opposition to the present government of this Commonwealth you or any two or more of you whereof Capt: Rob^t Dennis to bee one, have hereby power to discharge and set free from their Masters all such persons soe serving as soldiers.

You shall cause and see all the severall Acts of Parliam^t against Kingship and the House of Lords to bee received and

Domestic
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Vol. 50.

published as alsoe the Acts for abollishing the booke of Commonprayer and for subscribing the Engagement and all other Acts herewith delivered you.

You or any one or more of you have full power to administer an oath to all the Inhabitants or Planters there, to bee true and faithfull to the Commonwealth of England as it is now Established without a King or House of Lords.

You or any two or more of you whereof Capt. Robt Denis to bee one, have power to give Liberty to the Inhabitants and Planters who shall have taken the Engagement formerly mentioned to choose such Burgesses as they shall thinke fitt, and send to the place you shall appoint for the better regulating and governing of affairs there, provided that nothing bee acted contrary to the Government of this Commonwealth of England and the Lawes there established.

You shall cause all writts warrants and other processe whatsoever to bee issued forth as occasion shall require in the name of the keepers of the Liberty of England by Authority of Parliament.

In Case of Mortality or absence of Captaine Robert Denis you or any two or more of you have power to put in Execution these Instructions.

In Case of Mortality or absence of Captaine Robert Denis Edmund Curtis Commander of the Guinieey Frigott is hereby empowered to act as Commissioner with you or any two or more of you And he is alsoe in the absence of Captaine Robert Denis to take the Charge and Command of the fleet soe farr as concernes the shipping according to the power given to Captaine Robert Dennis.

And lastly as wee doubt not but you will use your best dilligence and care in carrying on of this affaire of consequence with which you are intrusted and that by your good endeavours it will have a good Issue soe the Councell will take the same into consideration that respect may bee had of your paines and travell therein and of a recompense agreeable to your service when the same shall bee compleated and worke upon which yow are employed shall bee finished.

Sept^r 26. 1651.

Liber B.
p. 289

By the Lieuten^t &c of Maryland.

Publicat eod Whereas the payment of his Lordps Rents hath been of late years very much Slighted and neglected by divers of the Inhabitants of this County of S^t Maries, to the great dishonour of his Lordp and the government here established under him, yet noe Strict or rigorous Course hath been hitherto taken Since my arrival here as Governor to Compell the pay-

ment thereof (as Justly there might) in hopes that mild and
favourable dealings would have produced better effects then it
Seems it hath, These are therefore to give notice to all and
every the Inhabitants of S^t Maries County, and all others who
hold any Land of his Lordp within this Province for which by
their Grants their Rents are made payable at S^t Maries, or at
his Lordps usual Receipt there that they and every of them
bring in and pay as well the Rents for this present year as all
Rents arrear at the now dwelling house of his Lordps Attorney
General M^r Thomas Hatton at S^t Maries afores^d at the ffeast
of our Lord's Nativity now next ensueing or by the tenth of
January next following at the furthest upon penalty to be pro-
ceeded against for their contempt or neglect therein in Such
Severe manner as Shall be thought fit And for Such as Shall by
the time before limited make payment as aforesaid, the Said
Attorney will be ready to give them acquittance in the usual
Manner, And all and every the Inhabitants before mencōned
who have not yet paid the half bushell of Corne p pole allowed
to me by order of Assembly for the last year are hereby required
to make payment thereof by the time and at the place before
limited and appointed together with his Lordps Said Rent
according to the Said Order Given at S^t Maries the Second day
of December Anno Dñi 1651

Liber B.

W^m Stone

Order of the Councell of State.

Tuesday 23rd December 1651.

Upon reading the petition of the Lord Baltemore it is this
day ordered That the said Lord Baltemore be left to pursue
his cause according to Lawe, and that as things concerning the
same shall be offered at the Councell, the Councell will take
notice thereof as there shall be occasion.

P. R. O.
Domestic
Interregnum.
Vol. 94,
p. 103

By the Lieuten^t &c of Maryland

Liber B.
p. 290

Publicat eod Whereas by an Order of Court of the 20th of
January last It is expressed what ffees and allowances the Several
Sherriffs of each County within this Province or their Deputies
who Shall be employed in distraining for leavying or Collecting
of his Lordps Rents and arrears in Case of non payment thereof
at the days and places appointed Shall have for that Employ-
ment as by the S^d Order appears, I doe hereby will and require,
all and every the Inhabitants of this Province whome it doth or
may concern to take notice, that unless they and every of them
doe bring in the respective Rents and arrears due from them

Liber B. and every of them to his Lordp, and pay the Same at the respective places of Receipts according to former appointment within fourteen days now next ensueing, they and every of them Shall from henceforth be lyable to the payment of Such fees, and allowances to the Sherriff or his Deputy as by the Said Order is directed in that behalf Given at St Maries the 20th day of March 1651.

W^m Stone

CECILIUS CALVERT, LORD BALTIMORE,

Proprietary.

Commissioners of Parliament:

RICHARD BENNETT,
EDMUND COURTEIS,
WILLIAM CLAIBORNE.

1652.

[Reduction of Maryland.]

Liber C. B.
p. 267

By the Commissioners of the Council of State for the
Commonwealth of England

Whereas the right honourable the Council of State for the Commonwealth of England by Authority of Parliament have Committed to us the Commissioners several Powers for the Reducing settling and Governing of all the Plantations within the Bay of Chesopeak as by their Commission and Instructions Bearing date at Whitehall the 26th day of Sept^r 1651 may Appear in pursuance whereof the foresaid Commissioners having applyed themselves to the Governor & Council of Maryland (one of the Plantations within the Limits aforesaid Requiring them to submit thereunto and to Act Accordingly and having tendered the same several times unto them so as that they might remain in their Places Conforming themselves to the Laws of the Commonwealth of England in Point of Government only and not infringing the Lord Baltimores just rights which they having denied and Refused as being inconsistent with the Pattent of the Lord proprietor and their oaths made to him In Obedience therefore to the said Councils Commands in their said Commissions to us directed and for the preservation of the Honour and Interest of the Commonwealth of England for settling the Colony of Maryland in their due Obedience and peace and for the true Administration of Justice and right to the Inhabitants thereof until further Order can be taken therein and until the Council of States further pleasure shall be known we the said Commissioners have hereby thought fit to publish these Orders following Requiring all the people of this Province to see the same kept and Observed

That all writs warrants and process whatsoever be issued forth in the name of the Keepers of the Liberty of England by Authority of Parliament that they be signed under the hand of one or more of the Council hereafter named viz^t Robert Brooke Esq^r Col^o Francis Yardley M^r Job Chandler Captain Edward Windham M^r Richard Preston and Lieutenant Richard Banks

That the said Council of Maryland first taking the ingagement do Cause the same to be tendered to all the inhabitants in these words, we whose names are Subscribed do promise and engage our selves to be true and faithful to the Commonwealth of England as it is now Established without King or House of Lords

Liber C. B.

That the said Council of Maryland or any two or more of them whereof Robert Brooke Esq^r to be one do Govern and direct the Affairs thereof and hold Courts as often as they think fit for that purpose as also that they summon an Assembly to begin 24th of Iune next Coming the Burgesses whereof are only to be Chosen by such freemen as have taken the said Ingagement and that neither by the said Council nor in the said Assembly any thing be Acted Contrary to the Laws of England their established or to their Obedience. due to the Commonwealth of England

p. 269

That the Commissions for the Governor and Council be hereby declared void and null and to be delivered into the hands of us the Commissioners as also that all Records and other matters and things Relating to the Government of Maryland be delivered into the hands of the Council herein by us nominated

Dated at Saint Marys
the 29th day of March
1652

Richard Bennett
Edmund Courteis
Will^m Claiborne

Liber B.
p. 304

By the Council of Maryland.

Att the request of M^r Thomas Hatton, These are in the name of the keepers of the Liberties of England by Authority of Parliament to Authorise L^t Nicholas Gwythar or any other Inhitānt of this Province whome the Said M^r Hatton Shall appoint & direct for that purpose to Leavy by way of execucōn in the usual manner All or any Such ffees as were due to him the Said M^r Hatton as Secretary here at any time before the 29th day of March last and yet unpaid from any person or persons within this Province upon the body or goods of every or any of them respectively, And for Soe doing this Shall be his or their warr^t Given at S^t Maries this 22th day of Aprill 1652.

Robert Brooke
Richard Banks

CECILIUS CALVERT, LORD BALTIMORE,

Proprietary.

WILLIAM STONE,

Governor.

1652-1655.

[Reinstatement of Governor Stone.]

Liber C. B.
p. 269

By the Commissioners of the Council of State for the
Commonwealth of England

Whereas the Government of this Province was for that present until further time and Opportunity of Consideration left in the hands of Robert Brooke Esq^r and some others as by an Order or Proclamation of the Commissioners of the Parliament and Council of State for the Commonwealth of England dated at Saint Marys the 29th of March last appeareth referring the further settlement thereof to an Assembly appointed to be held the 24th day of this month and whereas it appeareth that Captain William Stone Esq^r Governor and M^r Thomas Hatton Secretary of this Province were then left out upon some misapprehension or misunderstanding as they alledge in that particular of issuing out writs and all other Process whatsoever in the names of the Keepers of the Liberties of England by Authority of Parliament and forasmuch as the foresaid Captain William Stone Esq^r at the motion and Request of the foresaid Commissioners and the desire of the Inhabitants is Content to Réassume his former place of Governor here & to Act according to the foresaid Order or Proclamation and according to his former Power reserving & saving to himself as also to the aforesaid M^r Thomas Hatton Robert Brooke Esq^r and Captain John Price their Oaths made to the Lord Baltimore Lord Proprietor of this Province until the pleasures of the State of England be further known it is therefore Ordered by the aforesaid Commissioners with the advise and Consent of the Council and others the Inhabitants that Captain William Stone Esq^r be the Governor and M^r Tho^s Hatton Robert Brookes Esq^r Captain John Price M^r Job Chandler Col^o Francis Yardley and M^r Richard Preston be of the Council for this Province who are to Govern order and direct the affairs thereof in all matters according to the former Power and the Order or proclamation aforesaid and to hold Courts for the better administration of Justice as often as they shall think fit until further Orders of England therein and in the mean time all Persons whatsoever are required and Commanded to take Notice thereof and to Conform thereunto accordingly and since the Government is so settled as is known to be to the good liking of the Inhabitants

Liber C. B. it is Conceived for that and several other Reasons that there is no Absolute necessity of a General Assembly at present Given under our hands at Saint Marys the 28th day of June 1652
William Cleyborne Richard Bennert

[Peace with Indians. Affairs on Kent Island.]

Liber B.
p. 326

At a Court held at St Maries the 28th day of June Anno Dni 1652 being the first Sitting of the Court after the alteracōn of the Governm^t the Same day

present { William Stone Esq Governor } Coll^o Francis Yardley
 { Thomas Hatton Secretary } Mr Job Chandler
 { Robert Brooke Esq } Mr Rich^d Preston

Whereas this Court is informed that the Sasquehanna Indians have a long time desired and much pressed for the conclusion of a peace with the Government and Inhabitants of this Province which as is now conceived may tend very much to the Safety & advantage of the Inhabitants here if advisedly effected, It is therefore Ordered and this Court doth hereby give full power & authority unto Richard Bennert Esq Mr Edward LLoyd Cap^t W^m fuller Mr Thomas Marsh and Mr Leonard Strong or any three or more of them whereof the Said Richard Bennert Esq to be one at Such time and place as they Shall think Convenient to Consult and treat with the Said Sasquahanna Indians, and by the use of all Lawfull and fitting means (if they can) to conclude a League and peace on the behalf of this Governm^t and the Inhabitants thereof with
p. 327 the Said Sasquahanna Indians Soe As the peace Safety and advantage of the Inhabitants here may be (Soe far as in them lies) thereby advanced Settled and preserved

And Whereas divers Complaynts have been made heretofore by the Inhabitants of the Isle of Kent and others ag^t Cap^t Robert Vaughan Commander of the Said Island for divers misdemeanors and abuses in the execucōn of his Office & otherwise noe Course having been hitherto taken in the due execucōn thereof for the Satisfaction of the Said Inhabitants who have Several times attended this Court for that purpose to their great charge & trouble, and the Said Cap^t Vaughan not now appearing according to expectacōn, It is therefore by the Governor of this Province with the advise of the Counsell for avoyding of ffurther charge and trouble to the Said Inhabitants in attending this Court again at Soe great distance upon this occasion thought fitt and Soe Ordered that the Matter Complayned of be referred to the hearing examinacōn and determinacōn of the persons before named or any three or more

of them whereof the Said Richard Bennett Esq to be one who are hereby desired and authorised at Such time and place as they Shall think fitt for that purpose to call the Said Cap^t Robert Vaughan before them, and if upon the hearing and examinacōn of the matter they Shall See Cause for it, to remove him from his Said place of Commander of the Said Island, as also to appoint and Constitute the Said M^r Thomas Marsh or Some other fitting and able person to the Said place or Office of Commander of the Said Island, who is hereby in that Case by the Said Governor with the advice aforesaid as fully authorised for that purpose as any other Commander of any other County within this Province, Till further Order be taken therein. Liber B.

The Peace with Sasque-
hanogh Indians made
Ao 1652

Articles of Peace and freindshipp,
treated and agreed vpon the 5th day
of Iuly 1652 Betweene the English
Nation in the Province of Maryland on the one party,
And the Indian Nation of Sasquesahanogh, on the
other partie as followeth. Liber H. H.
p. 62

1. First that the English Nation shall haue hould and enioy to them their heires and Assignes for Ever, all the land lying from Patuxent River vnto Pallmers Iland on the Wester Side of the Baye of Chesepiake, And from Choptanke River to the North East Branch w^{ch} lyes to the Northward of Elke River. On the Easter Side of the Said Bay with all the Jlands, Rivers, Creekes Trees, ffish fflowle Deere, Elke and whatsoever else to the same belonging Excepting the Ile of kent, and Palmers Jlands which belongs to Captaine Clayborne. But Nevertheless it shalbe lawfull for the aforesaid English, or Indians to build a Howse or ffort for trade or any such like vse or Occasion at any tyme vpon Palmers Jland.

2^{ly} That if any Damage or Jniury be done on either Side at any tyme hereafter, either by the English or Indians aforesaid, or by any other Allyes, Confederats Tributaries or Servants, that Reparation be made and satisfaction given from each to other from tyme to tyme as the Case requires, and as in Reason should be done betweene those that are freinds, and that desire soe to Continue.

3^{ly} That if any the people or Servants belonging to the English or to the Indians shall goe away or Run away from either side, they shall not be concealed or kept away from each other, But shall with all Convenient speede be retourned back and brought home, And satisfaction to be made in a Reasonable way for transportation by land or water to those that bring them in.

Liber II. II.

4^{ly} That vpon any occasion of buisness to the English, or any Messadge or the like, the Indians shall come by Water and not by land, That there shall not be aboue Eight or ten at the most at one tyme, And that they bring with them the token given them by the English for that purpose, by which they may be knowen and entertained, As also that the English on their parts when they send to the Indians, the Messenger shall Carry the token which wee haue receiued from them.

p. 63

5^{ly} And Lastly that these Articles and every particular of them shalbe really and inviolably observed kept and performed by the two Nations before named, and by all the people belonging to them, or that are in amity with them for Ever, to the End of the World And that all former Iniuries being buried and forgotten, from henceforward they doe promise and agree to walke together and Carry one towards another in all things as freinds and to assist one another accordingly But if it should soe happen at any tyme hereafter that either party is weary of the Peace, and Intends warr then that the Same shalbe signified and made knowne each to other by Sending in and delivering vp this writting before any Acts of Hostillity or Enmity be done or attempted, and that twenty dayes warncing thereof be given before hand.

These severall Articles were solemnly and mutually debated and Concluded at the River of Severne in the Province of Maryland by Richard Bennett Esquier M^r Edward LLoyde, Capⁿ William ffuller, M^r Thomas Marsh, and M^r Leonard Strong Commissioners authorized and appointed by the Governor and Councell of the aforesaid Province And by Sawahegeh Treasurer, Auroghtaregh Soarhuhadigh Ruthchogah and Wathetdianeh Warr Captaines and Councillors of Sasquehanogh Commissioners appointed and sent for that purpose by the Nation and State of Sasquehanogh. And were fully Ratified done and Confirmed by Severall presents, Guifts and tokens of freindship mutually given receiued and accepted on both Sides. In wittnes whereof the aforesaid Commissioners in behalfe of the aforesaid Nation haue herevnto sett their hands and Seales the day and yeare aboue written

| | |
|--|----------------|
| Ri: Bennett Edd LLoyd Tho Marsh | } The marke of |
| Will Fuller Leo Strong Locus × Sigill. | |

+
Sawahegeh.

The marke of Aurotaurogh

+

The marke of + Scarhuhadih

The marke of + Ruthchogah

The marke of + Wathetdianeh

Locus × Sigilli:

William Lawson.

Iafer Peter for the Sweades Governor

Wittnes

Order of the Councell of State

Wednesday the 28th of July 52.

P. K. O.
Domestick
Interregnum.
Vol. 58, p. 86

That the petition of Thomas Harrison in behalfe of some well affected inhabitants in Virginia and Marieland be referred to the Committee for Forreigne affaires who are to conferre with him concerning the desires of his petition and thereupon report their opinions therein to the Councel.

To the Right worshipfull Cap^t William Stone Governour and the rest of the worshipfull Councill for the province of Maryland: The Humble Petition of the Inhabitants of the County of the Isle of Kent. Sheweth. —

Liber B.
p. 348

That Whereas formerly There hath been by the Easterne Shore Indians one Murdered and now of late one Shott another killed and Stript neare to his own house all of them Inhabitants of this Island and Subjects of this Province. A dwelling house and much Goods Burned, as is conceived by Indians, To Say nothing of theire Continuall Trade of killing of hogs they are Soe Imbouldned, these Murders being passed by, And being Soe well furnished with Gunns Powder and Shott that they Come about our houses Night and day Soe that Larums and disturbances are occasioned weekly nay daily Soe that Some are Soe dreaded and afrighted they have left their plantations and many are resolved to desert the Island w^{ch} tends to our weakening and the Incouragement of these heathens to make a prey of those that Shall be left, and So to make themselves by our Ruins more Strong to proceed and go on in theire mischiefeous designs, we are alsoe informed that the Easterne Shore Indians have Great Store of Powder and Shott and many Gunns not only in what they have formerly bought and have taken in Cap^t Gugnys his Rack But they have not long Since taken a Dutch Sloop with forty nine Gunnes besides very much Powder and Shott, Soe that they are very Strong, bold and Insolent. The premisses Considered yo^r Petitioners Humbly Crave that yo^r worship and the Councill would be pleased to Seriously to weigh and Consider our deplorable Condition and take Some Speedy Course for the Suppressing of these Heathens and avenging of Guiltless Bloud and the preservation of our Lives with our wives and Children and we Shall as in duty bound pray for yo^r worships peace and Eternall happiness.

Henry Morgon Phillip Conner
John Phillips Thomas Ringgold

Reasons of State concerning Maryland in America
? August 1652.

P. R. O.
Colonial
Papers, Vol.
XI, No. 65.

1. First. Itt is much better to keepe that Government still devided from Virginia, as itt hath beene for this twentye yeares last past, then to unite them, for, by that meanes, this Commonwealth will have the more power over both by making one an Instrument (as occasion shall require) to keep the other in their due obedience to this Commonwealth.

2. Secondlye In case any defection should happen in either Collony (as lately was in Virginia) the other may be a place of Refuge for such as shall continew faithfull to this Commonwealth, as Maryland lately was, upon that occasion, which it could not have been in case the Government of that place, had been, at that tyme, united unto, or had any dependance on Virginia.

3. Thirdlye Itt will cause an emulation in both, which of them shall give the better account of their proceedings to the Supream authority of this Commonwealth, on which they both depend, and also which of them shall give better satisfaction to the Planters and Adventurers of both.

4. Fourthly the Lord Baltemore haveing an estate, and his residence, in England, this Commonwealth will have a better assurance of the due obedience of that Plantation, and the Planters and Adventurers thither of haveing right done unto them, in case the Government thereof have still a dependance on him, and he upon this Commonwealth, as he had before on the late kinge, Then if the Government of that place, att so remote a distance, should be disposed of into other hands whoe had little or nothing here to be responsible for itt, and whose interest and residence were whollye there.

5. Fifthly by the continuance of his Interest in the Government therof, this Commonwealth and the people there are eased of the charge of a Deputy Governor, which he, att his owne charge maintaynes; the Inhabitants being yett so poore (and so likely to be for many yeares) as that they are not able to contribute any thinge towards ytt.

6. Sixthly Iff the Lord Baltemore should, by this Commonwealth, be prejudiced in his Pattent, and right to that Province, Itt would bee a great discouragement to others in Forreygne Plantations, upon any exigency to adhere to this Commonwealth, because itt is notoriously knowne that by his express directions his officers and the people there did adhere to the Interest of this Commonwealth, when all other English Plantations (except New England) declared against the Parliament and att that tyme received their freinds in tyme of distresse (for which he was like divers tymes to be deprived of his

Interest there by the Collony of Virginia, and others who adhered to the late kinge and his sonne) and itt would much reflect upon the honor of the Parliament, if he should (as he would in that case) be a laughing stocke to their Enemies and his, for his fidelity and affection to this Commonwealth.

P. R. O.
Colonial
Papers, Vol.
XI, No. 65.

[Endorsed]
Lord Baltemore's Patent
about Maryland in
Virginia

By the Governor Cap^t General of Maryland

Liber B.
p. 292

Whereas the Yoacomoco Indians and the Matchoatick and divers other Indians on the South Side of Potomake River take to themselves a liberty of hunting herein S^t Maries & Charles Countys not only to the utter destroying of the Game, and disturbance of the Hoggs and Cattle if not destroying them also, but by their Insolencies not to be endured are like to bring great troubles to the Inhabitants of this Province if not timely prevented, These are therefore in the names of the Keepers of the liberties of the Common wealth of England by Authority of Parliament Strictly to prohibit every Inhabitant of this Province, to give any of the Said Indians here any entertainment or to have any trade or Commerce with them in this Province in any kind whatsoever after the time herein expressed, excepting any Indian Cowkeeping Youth, in the penall Sume and forfeiture of ffive hundred pounds of Tobacco for every Such Offence aforesaid, the one half to the use of the Lord Propriary his heirs and assignes, the other part to the Informer and that they give unto the Said Indians in Case that they Come here Contrary to this Proclamacōn fair warning to be gone, which if they refuse Soe to doe that then Cap^t John Price be forthwith acquainted who is hereby required to Leavy Soldiers and doe his Endeavour to drive them out of the Province this be proclaimed by M^r Land at his house and Set up at his door the Eleaventh day of this Month and to be in force the twentieth Sixe day following Given under my hand at S^t Maries this 9th August 1652 M^r Land I require you to proclaime this Proclamacōn the eleaventh day and the twentieth day following

p. 293

William Stone

28th Aug^t 1652.

I Phillip Land doe testifie that I have proclaimed this Proclamacōn according to the Governor's direction above expressed
Phillip Land

[Expedition against Indians.]

Liber B.
P. 319At a Court held at St Maries 25th day
Novemb^r 1652

present { W^m Stone Esq Governour Collonell Francis Yard-
ley Cap^t John Price M^r Thomas Hatton, M^r Job
Chandler

Whereas a Petition was this day preferred to the Governour and Councill Subscribed by M^r Phillip Conner, M^r Thomas Ringgold, M^r Henry Morgon and M^r John Phillips Commission^{rs} for the Isle of Kent County, and Exhibited in the behalf of themselves and the rest of the Inhabitants of the S^t Island expressing thereby the Great Danger they daily were in by the Easterne Shore Indians who had of late in a barbarous Cruell manner Slaine and Murdered Some of the Inhabitance there & wounded and hurt others, besides Severall other mischiefs and insolencies in Burning of houses and Goods killing of hogs & otherwise, And Earnestly Craveing that Some Speedy Course might be taken for their reliefe and asistance in the premisses, as well in Vindication of former injuries & mischiefes as alsoe (through Gods assistance, to prevent the like for the future that the Said Island might not be deserted and the Inhabitance destroyed by the bloody inhumane Cruelty of those barbarous heathens and pagon as by the Said Petition more at large appeares, The Governour and Councill now present in Court together with Thomas Cornwallyes Esq and others whose advise and assistance was desired in this Case of Great concernment taking the Matter of the Said Peticōn into tender and Serious Consideracōn, In regard of the urgent pressing necessity of this occasion have thought it to be very fitt and requisite, And accordingly it is by the Said Governour and Counsell now ordered and appointed that Sufficent forces be Speedily raised for a march against the Said Easterne Shore Indians, and for that purpose every Seventh man throughout the province is to be pressed for this Service, (Counsellors, Commissioners, and other officers and persons of publick Employments within this Province and others usually freed in Cases of this Nature Excepted) and that the Sheriff or other officer to be appointed in Every County by the Governour or Commander or Comissioners of Such County for this Employ^{nt} Soe neare as he Can to presse the ablest and fittest man amongst every Seven for this Service, together with Such convenient Number of boats and other Vessells for transportacōn well fitted as the Governour Shall conceive fitting and Necessary to be used upon this Expedition, and it is further ordered that every the Sixe persons

through out the Province are to furnish out the Seventh man Liber B.
Soe pressed as aforesaid with Sufficient and fitting provision
of Victualls from the time of his Setting forth upon this Expedi-
tion, untill the time of his meeting at the Generall Randevouze
at Kent hereafter mencōned, and for twenty days after,
& with one Gunne well fixed, one pound and a halfe of Poudre
and Six pounds of Shott and all other fitting & necessary pro-
vision, Armes and Amunition for this Service from which
Charge noe Inhabitant of this Province, Counsellor or others
not pressed as aforesaid is to be Exempted. And It is further
Ordered that all and Every the forces Soe to be raised as
aforesaid in S^t Maries County, Charles County and on Putux-
ent River, on the North Side thereof Shall meet together at
Mattapania upon the Said Putuxent River near the house late
of Thomas Warr there upon the twentieth day of December
next, Together with Such Boates or other Vessells as Shall be
pressed or otherwise provided for the transportacōn as afore-
said, every of the Soldiers to be fitted with Victualls, Armes &
Amunition and other necessary provisions for this Service as
afores^d where the Governour is desired to appoint Some able
ypson or Commander to take a View of them as alsoe how they
are accomodated in every particular for the Service, and under
whose Conduct and Command they may wth all convenient
Speed be transported after Such View taken as aforesaid, unto
the Isle of Kent to the Generall Randevouze there upon the
30th day of the Said month of December next And It is further
Alsoe ordered that all and every the persons and Soldiers Soe
to be pressed and Soe furnished with Armes, Amunition,
Victualls and all other necessary provision for the Service as p. 351
aforesaid, together with all Boats and other Vessells appointed
for this Service as aforesaid Shall and are hereby appointed
God permitting them, to meet together at the Said Generall
Randevouze upon the Said Island of Kent upon the Said Thir-
tieth day of December next, there to be disposed of and Im-
ployed for this Service, under the Conduct and Comānd of
Cap^t W^m Fuller of whom the Governour with the advise of the
Counsell hath made Choice of for Commander in Chiefe in
this present March and Epedition, or under the Comānd of his
Lieu^t Generall to be by him Chosen and appointed for this
Impleym^t And for the better convenience of fixing of Gunns as
occasion Shall Serve upon this March, It is ordered that
William Tompson Servant to John Jarbo of S^t Maries County
be pressed for one of the Seventh men in that County and
that Such Toolles as are Necessary for his fixing of Guns be
pressed or otherwise procured from John Dandy for the time
of this Service, And It is further likewise ordered that for all
Such Indian prisoners as Shall happē to be taken, and brought

Liber B. in when this March is ended they Shall be divided according to their Valuation upon a Generall Division throughout the Province amongst every the Six that are at the Charge of Setting forth the Seventh herein before mencōned, unless the Provinciaall Court Shall think fitt to dispose of any of them otherwise, And that for all other purchase or plunder either in Corne or otherwise from the Said Indian Enemy During this intended March, It is to go upon a Generall Division amongst the Commander and Soldiers to be imployed in the Service as the Provinciaall Court Shall direct, and think fitt, Speciall regard being to be had herein of those that Shall best demeane themselves in the Service, And lastly the Governour is hereby desired by his Cōmissions and Warrants to hasten and further this intended March with all possible Speed, and hereby to give what further Directions & Limitacōns he Shall think fitting for the better Carrying on and prosecucōn of this Expedition

P. 352

By the Lieu' &c of Maryland

Whereas by An order of the Provinciaall Court held at S^t Maries the 25th day of this instant Month of November made upon a Petition from the Inhabitants of the Isle of Kent County, It was thought fitt and Soe Ordered, that forces Should be Speedily raised throughout this Province to be disposed of under the Command and Conduct of you Cap^t William fuller whom the Court made Choice of for Comander under me William Stone Esq Governour of this Province of Maryland, of all the forces to be raised for the purpose in the Said order Mentioned, of which order you Shall herewith receive a true Coppy under the hand of his Ldps Secretary of this Province, to which I referr you for the further Contents thereof, These are therefore in the Names &c And according to the Power Given unto me by the Right Hōnble the Lord Baltimore Lord Proprietary of this Province by my Commission from him for the Governm^t thereof, and alsoe according to the Directions of the Said Order, and out of the Great trust and Confidence reposed as well by my Self as by the Said Councell, and others in the Said order mencōned in your fidelity Courage and Good Conduct, To constitute and appoint you the Said Cap^t William fuller Commander in Chiefe under me of all the forces to be raised for a Speedy March to be raised against the Eastern Shore Indians, Giving you hereby full power and Authority (if you think fitting) to raise & Leavy Such forces as are to be raised and Levied in the County of Annarundell according to the Said order, by Yo^r own Warrant to the Sheriffe or his Deputy of your Said County or whom you Shall thinke Convenient for

that purpose, Together with Armes, Amunition and provision Liber B.
Suitable, According to the directions of the Said Order, and
to presse or procure Such Boates or other Vessells in the Same
County as You Shall think convenient for their use during the
Continuance of this Service, further Giving you hereby full &
absolute Power and Authority to appoint and make yo^r Lieuten^t
Generall and Such other officers and Commanders under you p. 353
as you Shall think fitting for this Service, And by Your Self or
yo^r Lieutenant Generall or other Commander under you, with
all or any the forces to be raised as aforesaid, And to meet
according to appointm^t upon the Isle of Kent the 30th day of
december next or at any other convenient time or place for
this purpose to March against all or any Indians Inhabiting
upon the Easterne Side of the Bay of Chesepeck to the North-
ward of the Southerly Bound of this Province on that Side the
Bay being over against Wickocomoco Point and from thence
in a direct line Eastward to the maine Ocean, and to make
Warr upon and through Gods Assistance by all possible meanes
to Vanquish, destroy, plunder, kill or take prisoners at yo^r dis-
cretion all or any the S^d Indians either by Sea or land, and
being Soe taken to put them to Death by the Law of warr or
to Save them at your pleasure, And for that purpose to pursue
them if occasion be, beyond the Bounds of the Said Province,
ffurther Giving you hereby full power and authority in the
Execution of the premisses, to doe all and Every other thing
which unto the Charge and office of a Cap^t Generall or Com-
mander in Chiefe of an Army belongeth and in all and Every
the premisses, your are to follow as near as conveniently you
can the direction of the order before mentioned, And I doe
further hereby Strictly Charge and require all and every the
Soldiers and others to be raised, or who Shall goe under your
Command that they and Every of them, Shall be aiding and
assisting unto you upon all occasions whatsoever, And to be
obedient to your Comands in all things as their Cap^t Generall
or Comander in Chiefe for this Service upon the penalty of
Such punishment to be inflicted upon them or any of them as
theire Neglect contempt or disobedience herein Shall deserve
in the Judgment of the Provinciaall Court or Court Martiall.
Given at S^t Maries under the Great Seale of this Province this
29th day of November 1652

William Stone

By the Lieuten^t &c of Maryland.

p. 354

These are in the Names of the keepers of the Libertys of of
England by Authority of Parliam^t Strictly to Charge and
Comand you forthwith after Receipt hereof to presse one able

Liber B. man out of Every Seven men inhabiting throughtout yo^r County
of the Isle of Kent (counsellors, Commissioners and other
officers and persons of Publick employm^t and others usually
freed in Cases of this Nature Excepted) As alsoe one Sufficient
p. 355 boate or Sloop fitting for their transportation and use in the
Service, mentioned in an order of the Provinciaall Court of the
25th day of this present month of November, Sent herewith to
the Commissioners of your Said County, which men Soe pressed
are to be at the Generall Randisvouze upon the Said Island
of Kent the 30th day of december next, with Each of them a
Gunn well fixed one pound and a half of Powder & Six pound
of Shott and Victuals for twenty days, after the Said day of
Generall Randevouze and with all other necessary Armes
Amunition and Provision according to the Said order, which
armes, amunition and provision is to be found and provided
by or at the Charge of every of the other Six out of whom the
Said Seventh man is to be pressed as aforesaid; And which
Armes, amunition and provision you may if occasion be Leavey
or presse accordingly, And the Said men Soe pressed and
Accomoded as aforesaid, are then and there to attend the
Commands of Cap^t Willm ffuller theire Said Cap^t Generall or
Commander in Chiefe for this Expedition, to all intents and
purposes in the afores^d order and his the Said Cap^t Generalls
Commission contained Soe far as it doth or may concerne them
or any of them and this upon the Strictest penalty in Cases of
this Nature provided, hereof fail you not at yo^r perill. Given
at S^t Maryes the 29th day of November 1652.

William Stone

To the Sheriffe of the Isle of Kent County his Deputy or
Deputies.

By the Lieu^t &c of Maryland

p. 356 These are in the Names of the keepers of the Liberties of
England p Authority of Parliam^t strictly to Charge and require
you forthwith after receipt hereof to presse one able man out
of Every Seven men Inhabiting through out yo^r County of
Annarundell (counsellors, Comission^{rs} and other officers and
persons of Publick employm^t & others usually freed in Cases of
this Nature Excepted as alsoe Soe many Sloops and other
Vessells fitting for their transportacōn and use in the Service,
mencōned in an order of the Provinciaall Court of the 25th day
of this present month of November Sent herewith to Cap^t
William ffuller the Cap^t Generall or Comander in Chiefe in the
Said order named, which men Soe pressed are to be at the
Generall Randevouze upon the Said Island of Kent the 30th
day of december next, with Each of them a Gunn well fixed

one pound and a half of powder and Six pounds of Shott and Victualls for twenty days after the Said day of Generall Randevouze, And with all other Necessary Armes, Amunition and provision, according to the Said order, which Armes Amunition and provision is to be found and provided by or at the Charge of every of the other Six out of whom the Said Seventh man is to be pressed as aforesaid, And which Armes Amunition and provision you may if occasion Shall be Leavy or presse accordingly, and the Said men Soe pressed and accomodated as aforesaid are then and there to attend the Commands of the Said Cap^t William ffuller, to all intents and purposes in the aforesaid order and in his the Said Cap^t Generalls Commission Contained Soe farr as it doth or may concerne them or any of them and this upon the Strictest penalty in cases of this Nature provided, hereof faile you not at yo^r perill, Given at S^t Maries this 29th day of November 1652.

W^m Stone

To the Sheriffe of Annarundell County his Dep^{ty} or Deputys

By the Lieuten^t &c of Maryland

These are in the Names of the Keepers of the Liberties of England p Authority of Parliam^t strictly to Charge and require you forthwith after receipt hereof to presse one able man out of Every Seven, inhabiting throughout S^t Maries County, Charles County and on Putuxent River on the North Side thereof, (councillors, Commissioners and other officers and persons of publick Employ^mt and others usually freed in cases of this Nature Excepted) as alsoe two Sufficent Boats, Sloops or other Vessells fitting for their transportation and use in the Service, mencōned in an order of the Provinciaall Court of the 25th day of this present Month of November of which order You Shall herewith receive a true Coppy, And for one of the men to be pressed in S^t Maries County you are to presse William Thompson Servant to John Jarbo with Tools from John Dandy according to the Said order, all and Every which men Soe pressed together with the Said Boats or other Vessells are to meet at Mattapania upon the South Side of Putuxent River upon the twentieth day of December next, with Each of them a Gunna well fixed one pound & a half of powder and Six pounds of Shott, and Victualls for Thirty days and with all other necessary Armes Amunition and provision according to the Said order, which Armes, Amunition and provision is to be found or provided by or at the Charge of every of the other Six out of whom the Said Seventh man is to be pressed as aforesaid, And which Armes, Amunition, Victualls and

Liber B.

p. 357

Liber B. provision, you may if occasion be, Leavy or presse accordingly, And after View of the Said men Armes, Amunition and provision there taken as I Shall appoint, they are to be transported thence to the Isle of Kent where they are to meet at the Generall Randevouze upon the Said Island the 30th day of december next, there to attend the Commands of Cap^t W^m Fuller theire Cap^t Generall or Commander in Chiefe for this Expedition to all intents and purposes in the aforesaid order & his the Said Cap^t Generalls Commission contained So farr as it doth or may concerne them or any of them and this upon the Strictest penalty in cases of this Nature provided hereof fail you not. Given at S^t Maries this 29th day of November 1652.

Willm Stone

To the Sheriffe &c

By the Lieuten^t &c of Maryland

Whereas the Sheriffe of S^t Maries County is by Warrant from me (according to an order of the Provinciaill Court of the 25th of this present Month, to presse one out of Every Seven men inhabiting throughout S^t Maries County Charles County and upon Putuxent on the North Side thereof for the Service
p. 358 in the Said order and Warrant mentioned for the more convenient and Speedy Carrying on of the Busieness. These are in the Names of the keepers of the Liberties of England p Authority of parliament strictly to Charge and require you and every of you to be aiding and assisting unto the Said Sheriffe in the Execucōn of the premisses, and if he think requisite, you are to goe to all the plantations, in your Severall hundreds, and to take an Exact and true List of the names of all the taxable persons and other men inhabiting in your Said hundreds respectively, and to Charge and require all or Soe Many of them as the Said Sheriffe Shall thinke requisite, that they meet together at Such place and time in every Such hundred as the Said Sheriffe Shall direct for the purpose aforesaid, And if occasion be that you presse Such of them with Such provisions Armes and amunition for Such Service as in the Said order is Expressed, and all and Every the Said Inhabitanance are hereby Strictly Enjoined to yield all due obedience to the Authority hereby Granted you as they will answer the Contrary at their perilli hereof faile you not. Given at S^t Maries this last of November 1652

William Stone

To Every Constable in Every hundred or Divident in S^t Maries County, Charles County & the North Side of Patuxent River

By the Lieuten' &c of Maryland.

Liber B.
P. 354

These are in the Names of the Keepers of the Libertyes of England, By Authority of Parliam^t to Authorise and require master Richard Prestone one of the Councell and Commander on the North Side of Putuxent River to make and appoint what person or persons officer or officers you Shall think fitting, and to give his Warrant or Warrants to them for Leavying and raising one able man out of Every Seven inhabiting upon Putuxent River, both on the North and South Side thereof as also unto the Bay Side from the Mouth of the Said River as farr as the Herring Creeke, with Victualls, Armes, Amunition and Provision and to be found and provided by and according to An Order of the Provinciaall Court of the five and twentieth of November last, and to meet at Mattapania upon the Said Putuxent River neare the plantation late of Thomas Warr there the twentieth day of this present Month of December with Each of them one Gunn well fixed & one pound and a half of powder and Six pounds of Shott and Victualls for 30 days & Armes, amunition and other provision according to the Said order, and to be from thence transported for the Service in the Said order Expressed under the Command of Cap^t William fuller there Cap^t Generall or Commander in Chiefe. And the Said persons or officers Soe by you the Said master Preston to be Appointed for the Execucōn of the premisses are diligently and Carefully to perform and Execute the Same as they will answer the Contrary, at there perill Given at S^t Maries the 2 day of December 1652

Willm Stone

To the Hōnble the Governour of Mayland

P. 373

Hob^{le} Sir

These

Yo^{rs} I did receive the Sixth Instant, in which you were pleased to Honour me with the Command under yo^r Self of a Considerable party to march against the Easterne Shore Indians, which may be of Good use, if wisely manag'd But Sir I find the Inhabitants of these parts wholly disaffected, not to the thing, but to the time of the yeare It being in all likelyhood (as they conceive) dangerous for their health, first in regard the want of Necessaries, as alsoe want of Vessells fitt to transport them, and next, that it is possible they may be frozen into the Rivers, and Soe expose themselves to more dangers through cold and want of Necessary provisions, then by the Enemies And one thing more which doth most take with me, The Indians on the West Side had notice of it before your Commission came to my hands, as I am credibly informed, to prevent which a longer time were to be desired, as alsoe that

Liber B. Some order might issue from your Self to prohibit the reve[al]ling of yo^r designe to any Indians under Some penalty as the Law of Armes hath in that Case provided. As for the
 p. 374 Inhabitants of kent who were the Materiall Cause of this Expedition by their Exhibiting a Peticōn to yo^r Self for Speedy reliefe, as is hinted in yo^r Order. I Shall if weakness of body prevent not give them a visit and advise with them, and readily assist them if occasion be offered with men or otherwise. Sir Let me Crave this favour not to be mistaken in what I have writt, It is far from me to Slight the power God hath placed over me, but am willing to Submitt to it, and that really as for my Self I am ready both now, and at any other time to do your Self and the Countrey all possible Service; But it is the present apprehension of the people That after the Extremity of the winter be past, it will be farr more fitt for this Service. Sir I Shall waite yo^r pleasure
 Dec 13th 1652 In the meantime I am Sir Yo^r Servant

Willm Fuller

By the Lieuten^t &c of Maryland

Forasmuch as I have Newly received Intilligence by Lrēs from Cap^t William ffuller Commander in Chiefe of the forces raised for the intended March against the Easterne Shore Indians, that the Indians have already Notice of the Said Intended March with divers other very Materiall reasons as the danger of being frozen in and otherwise; by the Said Cap^t ffuller given me for the deferring of the designe till a more Seasonable time and opportunity, I have therefore upon Serious consideration thereof, and of the Soldiers Great want of Apparrell and other Necessaries at this unseasonable time of the yeare, thought fitt, And with the Advise of the Counsell doe hereby discharge all the forces raised for the Said intended march, from any further Service therein for the present, Soe as they may depart to theire Severall habitations, with theire Armes Amunition and provision, And for Soe doeing this Shall be their Warrant Given at St Maries this 18th day of december 1652

Willm Stone

[Revocation of Vaughan's Commission.]

By the Lieuten^t &c of Maryland

Whereas by my Severall Commissions to m^r Edward LLoyd Commander of Annarundell County, and Cap^t Robert Vaughan Co^mander of the Isle of Kent County within this Province
 p. 375 dated 29^o Julij 1650. I thereby authorized them for the Ease

of the Inhabitants of those remote Counties, to Grant Warrants for land (according to his Ldps Conditions) in their Severall Counties aforesaid, with further directions in the Said Commissions contained, And whereas I am Given to understand that not^onely the transmitting of Such Warr^{ts} demands and Assignments into the Secretaries office here (as by the Said Commissions is directed) is Somewhat Neglected, but also the due return of the Certificates of Survey thereupon, to the Great prejudice not only of his Ld^p in his Rents due upon Such Surveyes, but also to the Great wrong and abuse of the Said Secretaries office, and likely in Short time to produce much confusion and inconvenience, ffor prevention whereof, These are in the Name of the keepers of the Liberties of England by Authority of Parliament, and as Governour here under his Said Ld^p, to declare the Said Commissions or any other for that purpose Soe by me Granted to the Said Cap^t Robert Vaughan and m^r Edward LLoyd as aforesaid to be void and Null, And that no Warr^t or Warrants for land be thereupon Granted by them or either of them after the last of this present month of december. further hereby willing and requiring as well the Said Cap^t Vaughan and m^r LLoyd as also his Ldps Surveyor Generall, That they the Said Cap^t Vaughan and m^r LLoyd doe cause transcripts of all Such demands or Tittles of land Assignm^{ts} and Warrants within their Severall Counties as are not yet transmitted into the Secretaries office to be Speedily transmitted thither there to be Entred And that the Said Surveyor Generall make Speedy returne into the Secretaries office of all Such Certificates of Surveys by him already made by Vertue of any Warrant w^tSoever not yet returned, And that he presume not for the future to Survey any land within this Province for any Adventurer or planter, to be granted upon his Ldps Condicoⁿs of Plantation without Some Warrant from my Self or by authority from me or other Speciall Warrant or direction from his Said Ld^p here published for his Soe doing, his the Said Surveyors former irregular & unwarrantable proceedings herein having occasioned much trouble and inconvenience to the great abuse both of his Ldps authority and the Inhabitants. And hereof you the Said Cap^t Robert Vaughan, m^r Lloyd and m^r Robert Clarke his Ldps Said Surveyor Gen are required to take due Notice, and to Comply in all things with the directions herein before Given, you and every of you respectively, as you will Answer the Contrary. Given at S^t Maries this 18th day of december Anno Dñi 1652.

William Stone

Liber B.

p. 376

Liber B.
p. 386

To the Hönble the Governour and Councell of the
Province of Maryland

The Humble Complaint of Thomas Cornwallis Esq
against m^r Thomas Gerrard Gent

Humbly Sheweth.

That Whereas, Richard Ingle Marriner for and in consideracon of a Cargo of Goods delivered to the Said Richard Ingle to be transported into Maryland to the Complainers agent there, As alsoe for a Great Quantity of Tobacco taken by the Said Ingle belonging to the Complainant together with the plundering of his house and destroying of his Stock to the damage of the Compt: at the least two or three thousand pounds Sterling, did after a long and Chargeable Suit Compound with the Compt and for the Satisfaction of his damage together with the Goods and Tobaccos received by him, Agree and accordingly did transferr & make over unto the Said Complain^t all bills, bonds, debts and Accompts due unto him the Said Ingle in Virg^a or Maryland to the Sole use and benefit of the Compt his heires and Assignes for Ever, as by a Deed with a Schedule annexed under the hand and Seale of the Said Richard Ingle doth and may Appeare, Now So it is that the Said Thomas Gerrard takeing advantage of the Comp^{ts} absence and having as it is probable Combined with his Attorney or at least making use of his Great Negligence, did after he had Seen the Said Conveyance and as himself confesseth taken a Copie of it, And consequently knowing the conversion of the Said Estate from the Said Ingle did notwithstanding under a pretence of damage received by the Said Ingle, procure a Judgm^t against the Said Ingles Estate, By Vertue whereof and the favour of the then Governour of Virg^a he obtained a particular Warr^t from the Said Governour of Virginia for the Imprisonm^t of Cap^t William Stone now Governour of this Province untill he delivered up unto the Said Thomas Gerrard a Great part of the Estate, formerly conveyed to the Compt being then in the Custody of the Said Cap^t Stone, Whereupon the Said m^r Gerrard possest himself of a Great part of the Said Estate, Contrary as the Compt humbly conceives both to Law and Equity refusing to restore the Same unto the Compt, for which he humbly craveth the Judgment of this Court, for repossessing of him of his Said Estate Soe unjustly taken from him by the untrue Suggestions of the Said m^r Gerrard, and the arbitrary power of the aforesaid Governour together with Such damage as Shall appeare incurred by the Said Compt by the unjust detention of his Estate and the writings belonging thereunto, whereby many debts are lost, and the Said Estate much imbezelled, and your Petitioner Shall ever pray &c:

[Non-Exportation of Corn.]

Liber D.
P. 492

By the Lieuten^t &c of Maryland

Published Forasmuch as I am Given to understand that there is like to be Some Scarcity of Corne in this Province this present year, and that divers persons have and doe take liberty to buy corn of the Indian Inhabiting within this Province and and to transport the Same out of the province into other parts, to prevent the like for the future, These are in the Names of the keepers of the Libertys of England p Authority of Parliament to will require and Command all and every the Inhabitants of this Province, forreigners and others whom it may concerne that they nor any of them doe or Shall not p'sume to transport any corne out of this Province which they or any of them Shall buy of any Indians Inhabiting within this province, without Speciall Licence from me for Soe doing till Michaelmas next or further order to the Contrary upon paine of being proceeded against for their Contempt or Neglect in this particular as the Provinciall Court Shall think fitt, Given at S^t Maries this 24th day of January 1652

William Stone

120 Martij The Governour this day by a declaration under his hand to be published at Kent made Void all Warrants or Licences by him formerly Granted for killing of wild unmarked Hogs here.

By the Lieuten^t &c of Maryland.

P. 413

Whereas there is Great Suspicion that the Indians intend Some Mischeife to the Inhabitants of this Province; for the better prevention whereof (by Gods assistance) These are in the Name of the Keepers &c to require and Authorize Thomas Gerrard Esq to use the best meanes he can to discover the designs of the Said Indians, And for that purpose to raise what forces he Shall think fitt with whom or otherwise (as occasion Shall require) he may repaire to Portoback or Chop-tico and (if he think fitt) either disarme or Secure the persons of any of the Said Indians till Examinācon had touching the premisses or further Order. Given at S^t Maries this 24th day of March 1652.

Upon Consideration of the Danger from the Indians with the assistance of Cap^t Cornwallis & m^r Gerrard

Ordered upon m^r Brooks offer of imploying one of his Sons in the Service that the Said m^r Brooks his Son and John Shanks

Liber B. or one of them be imployed as Intelligencers amongst the Indians Living upon Putuxant River.

To discover concerning the Mat hue Indians Comeing to trade amongst the Indians of Putuxant, And upon the Said Mat hue Indians arrival there, with all Speed to give Notice thereof to m^r Brooks and m^r Preston who are with all Speed to Certifie the Governour thereof that the forces to be appointed for the Service under the Command of Cap^t John Price may thereupon March forth to apprehend and Destroy them, if it may be, And that it be left to the Governour who is desired to give direction for the appointing the forces for this Imployment alsoe accomptant Number to be of the traine Band within S^t Maries Charles County and Putuxent River who may upon an alarum as occasion Shall require be ready to meet at Some place of Randevouze under the Command of the Said Cap^t Price or what other Commander or Commanders the Governour Shall appoint for the defence of the Province

p. 437 24 Martij

The Governour this day declared in open Court that he had remitted Two Thousand pounds of Tobacco and Caske of the fine of five Thousand pounds of Tobacco and Caske Charged upon Cap^t William Mitchell by an Order of the last of June last for his offences in the Said order Expressed

p. 462

The Governour this day appointed m^r John Metcalfe High Sheriffe of S^t Maries County according to his Ld^{ps} Speciall direction in that behalf.

p. 496

By the Lieuten^t &c of Maryland

Whereas at a Court held at S^t Maries the 26th day of September last I adjourned the then next Generall Provinciall Court formerly appointed to be held the Twentieth day of October last till the first day of december next. Now These are in the Name of the keepers of the Liberties of England by Authority of Parliam^{ent} And as Lieutenant Generall and Governour of this Province and the right Hon^{ble} the Lord Baltemore Lord Proprietary thereof to give Notice to the Inhabitants of this Province and others whom it may concerne, That forasmuch as noe Necessity appeares of holding a Generall Court Soe Soon, Noe English Shipping being yet arrived here, And that for divers reasons relateing to the publick welfare, It were requisite (if please God it may Soe happen) that we received Some direc-

A Proclamacōn Published eod

Another p^{cl} issued out 9^o Januarij to adjourn the Same Cort till 1^o martij &c

tions out of England touching the Governm^t here before a Liber B.
Generall Court, I have thought fitt therefore, and doe hereby
adjourn the Next Generall Provinciaall Court from the first of
December next aforesaid till the tenth of January next and all
Warrants Summons and other process and references formerly
made out and appointed Either for the 20th of October or the
first of December Aforesaid are hereby reinforced and to Stand
Good in all respects for and untill the aforesaid Court to be
held the tenth of January next herein before appointed Given
at S^t Maries this 7th day of November Anno Dⁿⁱ 1653.

William Stone

By the Lieu^t &c of Maryland

A Proclamation
published
18. december 1653

Whereas at a Generall Provinciaall Court held
at S^t Maries the 25th day of November 1652
upon the moc^on of Thomas Cornwallis Esq.
m^r Willm Eltonhead and others disireing Some Course might p. 497
be taken for the getting up and killing the wild Cattell, The
Court then conceiving it to be a busieness of Generall Con-
cernment, and wherein the Ld Proprietary might likewise be
Interested, referred the busieness till the next Generall Assem-
bly as most proper then to be Settled & determined, And
Whereas I am Given to understand by m^r Thomas Hatton his
Lordships Attorney Generall and others that Notwithstanding
the Said order of reference (as it is Very Credibly reported)
Marks Pheypo, Nicolas Keeting Martin Kirke, and others have
of late in a bould Contemptious unwarrantable Manner, gotten
up, killed or disposed of to their own use or otherwise a Great
Number of wild unmarked and other Cattle to his Ld^{ps} Great
wrong and abuse and Contempt of the Governm^t here Settled
under him, for which the Said Attorney intends in convenient
time to Call them to a Strict Accompt, But for the better pre-
vention of the like insolencies for the future and to put a Speedy
Stop to the Said Contemptious and unwarrantable proceedings,
These are in the Name of the keepers of the Liberties of Eng-
land by Authority of Parliament and as Governour here under
the Right Honble the Ld Baltemore Lord Proprietary of this
province Strictly to Charge and Command the Said Marks
Phepo, Nicolas Keeting and Martin Kerke, and all others
whom it may concerne that they and every of the from hence
forward forbear to gett up kill or dispose of any wild unmarked
Cattell and if any they have now in their penn or Custody that
they forthwith turn them loose and not any further to Meddle
therein till by Some Act or Order of Assembly or Other Law-
full Warrant by Authority here under his Ld^p they be Authozed
for Soe doing as they will Answer the Contrary at their
perills Given at S^t Maries this 15th day of December 1653.

William Stone

P. R. O.
Domestic
Interregnum.
Vol. 103,
pp. 21, 22, 27,
28

Orders of the Councell of State.

Thursday 29th December 1653.

On reading the petition of Colonell Samuel Mathews Agent for Virginia directed to the Lord Protector. It is ordered and declared in Councell by his Highnes that a Letter be prepared to the Governor and Generall Assembly of that Colony, to encourage them and to establish the present Governor till further order. And that the other part of the said petition be referred to M^r Strickland and S^r An: A: Cooper who calling to them M^r Winslow Coll: Mathews and such others acquainted with the affaires of that plantation as they shall thinke fitt, are to consider how the same may for the future be settled to its advantage, benefitt and security, and to the service of this Commonwealth, as alsoe how the questions betwixt the Lord Baltimore and the people of Virginia, concerning the Bounds claymed by them respectively may with most Justice and equity be determined to which purpose they are to send for all papers referring therunto which were in the hands of the late Committee of the Navy or of any other and thereupon to state the whole matter, and report the same to his Highness.

Saturday 31th December 1653 afternoone.

A Letter prepared for the Governor and Generall Assembly of Virginia was now read and approved of.

To the Governor and Generall Assembly of
the English Plantation of Virginia.

Gentlemen,

Colonell Mathews the Agent for Virginia, hath diligently attended the dispatch of some businesses referring to the peace and settlement of that Colony, The perfecting whereof hath been obstructed by the many publique affaires here depending. And now it haveing pleased God (who is the great disposer of all humane occurrences) in his great wisdom, and according to the Councell of his owne will, to alter the Government of this Commonwealth, by entrusting the same unto a Lord Protector and successive Trienniall Parlements. And Oliver Cromwell Captayne Generall of all the forces of this Commonwealth, being declared the present Lord Protector thereof (as you may perceive by the platforme of Government herewith sent you, and the proclamation thereunto annexed, which you are forthwith after receipt hereof, to cause to be published) address hath been made unto his Highnes by Colonell Mathews petition, for the determining of these matters, which have so long depended Whereupon his Highnes hath been pleased, to put into an effectuall way the speedy resolution of these ques-

ions, betwixt the Lord Baltimore and the Inhabitants of Virginia, concerning the bounds by them respectively claymed, And hath also declared his Intention, with the most convenient speed to settle the government, and other concernments of that plantation, in such a way as may be for the benefit and security of the Inhabitants, and render it most serviceable to the Common Interest, and honour of the Commonwealth, wherein you may receive his Highnes particular determination in due tyme. In the Interim his Highnes hath thought fitt to signifie to you by his Councell (as he hereby doth) That the safety, protection and welfare, of that plantation, (as well as the rest) is under his serious thoughts, and care And to the Intent it may not suffer any Inconvenience by the unfixednes of the government His Highnes hath thought fitt to continue Colonell Bennet (of whom his Highnes hath received a good Character) in execution of the place of Governor, till his Highnes shall further signifie his pleasure in that behalfe, which you may in probability expect by the next Ships, and till such his further pleasure be declared, his Highnes and the Councell recomend it to you, that the publique peace of the plantation be diligently attended. That Love be cherished, and the great Interest of Religion be owned and countenanced whereby you will ingage God's care over you, who alone can make your affaires prosperous, and more oblige this State tenderly to improve their oportunities for your protection, and encouragement.

Signed in the name and by order
of his Highnes and the Councell.

He: Lawrence. Pr^t

Whitehall 4th
January 1653.

[Privateering in St. George's River.]

By the Lieu^t & Governour &c of Maryland

Whereas Cap^t Thomas Webber master of the Good Ship Called the Mayflower of London and Merchants & others aboard the Said Ship have lately taken as prize a Ship riding in St George's River within this Province. Wherein I doe not think fitt at all to Intermeddle by any authority conferred upon me here, but Leave the Tryall of the busieness to the Court of Admiralty in England, where the Matter touching the Legality of the prize (as I am now given to understand and for ought I know to the Contrary) ought properly to be determined Now These are for the Said Cap^t Webbers and the Said Merchants better Incouragem^t (and to remove any Jealousy or distrust which may perhaps be conceived by them upon the Occasion of taking the Said Ship) faithfully to promise and ingage my Selfe (Soe far as in me lies) that they Shall not be any wayes

P. R. O.
Domestic
Interregnum.
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Liber B.
P. 519

p. 520

Liber B. troubled or Molested in their free trade within this Province during their abode here with the Said Ships or either of them, but Shall be therein protected to the Utmost of my power as Governour of this Province, they Carrying themselves fairly & peaceably as they ought without Just occasion of offence to the Governm^t or Injury to the Inhabitants here, And as touching the Sailes belonging to the Ship Soe by them taken as prize (which were ashore at and before the taking of the Said Ship, and there lately by them Veiwed) after Some time of consideration whether by any Law or Command from England or in Justice they belong to them as prize or not I Shall give them a Positive Answer therein, And in the Meane time (Soe far as I May) will Secure them that in case they appeare to be their Lawfull prize they may have them accordingly, Given under my hand at St Maries in the Province of Maryland this 18th day of January Anno Domini 1653

William Stone

By the Lieuten^t &c of Maryland

Whereas m^r Symon Oversey Merchant being an Englishman borne and an Inhabitant of this Province of Maryland & of the Colony of Virginia now and for divers years last past In w^{ch} regard he ought to have all Lawfull incouragement and protection from the Governm^t here in the p^rservation of his Estate & Managing & p^rsecucōn of his Just Employments & occasions. These are therefore in the Lords prop^{rs} Name Strictly to Charge & require all & Every of the Inhabitants of this Province & persons tradeing or residing here & all others whom it may concerne that they forbear & Refraine in any Sort to hinder, Molest, or trouble him the Said Symon Oversey his Agents or Servants in the following & Managing of his Lawfull Occasions & Employm^{ts} trade or Commerce in any pt of this Province with his Sloop, boate, or other Vessell or Vessells as they will answer the Contrary at &c. Given at St Maries this 24th day of January 1653

Willm Stone

[Confirmation of Lands.]

P. 514

By the Lieutenant & Governour &c of Maryland

A Proclamacōn
published at St
Maries eod.

At Putuxent
9^o die febr.

According to the Speciall direction and appointment of the Right Hōnble Caecilius Lord Baron of Baltemore Lord Prop^y of this Province of Maryland in that behalf, These are in his the Said Lord Prop^{rs} Name to give Notice and declare to all and Every the Inhabitants of this Province and others whom it doth or may concerne. That Whereas his Said Ld^p under-

stands that divers persons inhabiting in this Province have not Liber B.
Sued out their Patents in due time for the lands which they
clayme to be due unto them here nor have taken the Oath of
fidelity (as they ought to have done) according to his Ldps
Conditions of plantation whereby they Clayme Such Land.
Yet his Ld̄p out of his Good affection to them is not willing to
take Such advantage as he Justly might, thereupon against
them, without giving them first fair warning by this Procla-
mation of their Error therein, but is Contented that all Such
persons who Clayme any land due unto them respectively by
Vertue of his Ldps Condicion of Plantation dated the Second
day of July 1649 Shall Notwithstanding their Said default have
the Said respective Lands Granted unto them as if no Such p. 515
default had been Made.

Provided alwayes that they doe respectively within three
Months now next Ensueing take the Said Oath of fidelity
according to his Ldps declaracōn bearing date the Sixt of
August 1650 and his Instructions bearing date the 17th of
feby 1652. and also within the Said time make their Rights
to the Said Lands appear to his Ld̄p Secretary here, and Sue
out their Patents and pay to his Ldps receiver Generall here
or his Sufficient Deputy all Such arrears of Rent as are due to
his Ld̄p for the Said Lands respectively from the time Such
Patents ought by the Said Condicion to have been Sued out
by them Respectively, and also pay unto his Ldps officers here
Such fees as of right belong unto them respectively for the
Same.

And These are further also in the Lord Prop's Name and by
his Speciall direction and appointm^t as aforesaid to declare and
give Notice that in case Such person or persons So Clayming
any Land due unto them as aforesaid who Shall not take the
Said Oath of fidelity or not Sue out their respective Patents
or not pay the Said Arrears and fees respectively as aforesaid
within the time aforesaid, Shall be for Ever after debarred from
any right or Clayme to the Said Lands respectively Which (in
that Case) his Ldps Lieutenant here is by his Said Ldps
Speciall direction required to Cause to be Entred and Seised
upon to his Ldps use. Given at S^t Maries in the Said Province
of Maryland the Seventh day of february Anno Dñi 1653

William Stone

Memorandum that upon the Eleventh day of february 1653 p. 520
m^r Job Chandler tooke the Oath of a Counsellor to the Lord
Proprietary w^{ch} was Administred unto him by me his Ldps
Secretary

Tho: Hatton

Liber B.
P. 521 M^r Robert Clarke appointed by the Lord Proprietary for one of the Counsell tooke the Oath of a Counsellor this day in open Court.

[Writs to run in the Proprietary's name as heretofore.]

P. 554

By the Lieutenant &c of Maryland

Whereas the Right H^{on}ble the Lord Baltemore Lo: Prop^y of this Province of Maryland hath given Expresse Charge & Command to my Self and his other officers of Justice here to issue out Writts within this Province in his Ld^{ps} Name as formerly being a priviledge granted to him by his Pattent. Whereby Sovereign, Dominion, faith & Allegiance is reserved to the Commonwealth of England, And in that respect the Making out of Writts here according to his Ld^{ps} direction aforesaid Cannot any wayes derogate from our obedience to that Commonwealth in Cheife under God nor o^r In-gagem^t taken thereto, which we Must and ought to be Very Carefull not to infringe. These are therefore to give Notice to the Com^{rs} for the Isle of Kent County and to all other officers of Justice within this Province whom it may concerne, that they are required by his Said Ld^p to issue out all writts in Every Severall County within this Province according to his Ld^{ps} Said Direction, who will Expect a due Compliance with his Commands therein, As they will Answer the Contrary, And further These are in his Said Ld^{ps} Name to will and require the Said Com^{rs} for the Said Isle of kent County that they be Carefull Soe farr as in them lies by raising of Convenient forces for that purpose within the Said County to prevent any mischiefe from the Indians; of whom as I understand there is at this p^rsent great occasion of Suspicion. Given at St Maries this 2^d day of March Anno Dñi 1653.

P. 558

By the Lieutenant &c of Maryland

Whereas Cap^t Thomas Adams Marriner having lately purchased a plantacōn within this Province of Maryland (as I am informed) intending with all Convenient Speed to Seat the Same and to inhabit here and hath promised and undertaken to Endeavour to worke and procure an Intercourse of trade and Commerce between the English Inhabitants of of this Province and those of the Swedish Nation Inhabiting in Delaware Bay which probably may redound much to the benefit and advantage of this Commonwealth if he may be authorized therein by the Government here. These are therefore in the Lord Prop^s Name to Licence and Authorize the Said Thomas Adams with

P. 559

his Vessell or Vessells to Trade or Traffick with those of the Swedish Nation in Deleware Bay or in any part of this Province being not Enemyes to the Commonwealth of England as alsoe with any Indians on the Eastern Shore of the Bay of Chesapeake within this Province not in open hostility with the Inhabitants here with and for any Merchandize trade or Truck not any wayes prohibited or forbidden by the Laws of this Province. Provided that the Said Thomas Adams in his Trade aforesaid be Carefull to keep his Said Vessell or Vessells well Maned with fitting Arms and Amunition for prevention of any Danger from the Said Indians or other Enemyes and provided that he be Conformable in the premisses in Every respect to the Laws and Orders prescribed and Appointed or any wayes in force here in Case of trading within this Province and this his present Commission in that behalf is to Stand and remaine in force till the Lord Proprietary of this Province or his Lieutenant or Chiefe Governour here for the time being Shall think fitt to disanull and revoke the Same and no Longer Given at S^t Maries Under the Great Seale of the Said Province the 18th day of March Anno Dñi 1653

William Stone

By the Lieutenant &c.

P. 553

Whereas by the Deposition of William Scott taken in open Court the 4th day of this present Month & an Order of Court of the Sixt of the Same Month made upon the Mocōn of Marks Pheypo & divers other Credible Reports Since then of Coll Francis Yardley's Contemptious Carriage & demeanor towards the Governm^t here under the Lord Prop^y & very probable Suspicion of an Intention in him, in Some private Manner to remove his Estate out of this Province and to leave his debts & engagements here unsatisfied, These are therefore in the Lord Prop^{rs} Name to will and require you and Every of you In Case the Said Coll Yardley Shall Endeavour or attempt to remove his Said Estate or any part thereof out of this Province, before he first be Licensed thereto by the Governm^t here in an orderly way, That you doe use Your best Endeavours to hinder or prevent him from Soe doing by Makeing Stoppage thereof and Secureing it in your or any of your possessions till upon Notice thereof to be given to my Self or the Provincia^l Court here you receive further Order or direction herein, And for Soe doing this Shall be your Warrant, hereof you are not to fail. Given at S^t Maries this 20th day of March 1653.

P. 554

To L^t Willm Lewis, George Dolty, Edmond Lindesey or any of them

Liber B.
p. 570

The Accompt of m^r Thomas Hatton his
10 April 1654. Ldps Attorney Generall of So Much of
the Dutch Custome as Ever Came to his hands either
upon his Ldps Accompt or upon the Accompt of the
Soldiers or Demandants for half the Said Dutch
Custome by Vertue of the Act of Assembly of the
21th of April Anno Dñi 1649. Intituled an Act for
Support of the Lord Prop^y.

The Said Attorney Debtor upon that Accompt.

Tob: & Cask

p remaining in his hands of the Said Custome Anno
1649 for which he intended to have been Accomptable
to his Ld^p, but upon m^r Greens the then Receiver's
Agreem^t to Satisfie him the Next year what his Ld^p
Should allow him for his pains as Attorney Generall
for that year he made paym^t of the whole Sum^e to
the Soldiers, though m^r Green's Accompt doth
mencōn 200^l thereof to be allow'd the Accomptant
for Indian Arrows for his Ldps use which he paid to
Lieutenant William Lewis } —3026

p Received of the Said Custome 24^o febr 1650 of
Clāus Jacobson and was allowed him by his Ld^p
declaracon de Anno 1650 } —2000

p Received of the S^d Custome 24^o Martij 1650 of
Jacob Derrickson m^r Metcalfe being then Receiver } —5806

p Bills Assigned by Skipper Jacob and Skipper Clāus
to m^r Green in part of the Custom, and by m^r Greene
delivered to the Accompt upon his leaving the Re-
ceivers place. Viz. 2 Bills of 446^l Tob: payable by
Lieu^t Richard Bancks and one Bill of 795^l Tobacco
payable by Thomas Warr which was by Order of
Court returned to John Hatch Attorney of Skipper
Jacob and the debt ordered to be paid to his Ld^p
out of Skipper Jacob's Estate but not yet paid } —1241

Summe Tottall is 12073

Idem Creditor upon the Same Accompt

p allowed him by his Ldps Declaracōn of 16^o Augusti
1650 } —2000

p paid to Severall Soldiers & Demands upon that
Acc^t (p^{nt} p Receipts inde) } —8890

p 100^l Tob: paid to John Halfhead for Serving an
Attachm^t against Warrs Estate upon the Bill and
47^l Tob: for the Attachment & order thereupon } 147

| | | |
|---|--------|--------------------|
| for receiving and paying the 5306 ^l Tob: the whole Charge and trouble of the busieness resting upon the Accomptant as Attorney m ^r Metcalf being then Receiver who was allowed but 5 p Cent | } —580 | Liber B. |
| ffor drawing ingrossing recording and taking the Acquittances Orders and whole Accompt in relacōn to the Said Dutch Custome | } —600 | |
| p for the Indian Arrowes Mencōned to be allowed me p m ^r Greenes Accompt | } —200 | P. 57 ^l |
| | <hr/> | |
| Creditor — Summe Tottall | 12417 | |
| Debtor ut Sup ^a | 12073 | |
| | <hr/> | |
| Upon this Acc ^t there remains due to m ^r Hatton the Attorney | 344 | |

His Ldps Said Attorney m^r Thomas Hatton upon pduceing this Accompt above written and the Acquittaces therein Men-
cōnd Moved the Court this day according to the direction of
an Order of the fourth of March last for an allowance thereof
The Acquittances and to be discharged as touching the Custome
here menconed wherewith he Chargeth himself Debtor upon
are Entred upon the Same Accompt, and that the three hundred
Record fol: forty and four pounds of Tobacco and Caske remaining due to
him thereby be paid him out of his Ldps Rents and Revenues
together with what he Shall happen to fall Short of the 795^l
Tob: from Skipper Jacob or his Attorney if he faile to gett the
Same in or any part thereof, And that, that debt be transferred
to him for his own use by order of Court for that purpose, And
the Court upon perusal of the Said Accompt and Acquittances
finding them to be Just and reasonable doth Order that they
be put upon Record conceiving that to be a Sufficient discharge
for him concerning the Said Custome and doth transferr unto
him the debt from Skipper Jacob according to his desire, And
for what he happens to fall Short in receiving thereof and the
three hundred forty and four pounds of Tobacco and Caske
remaining due to him upon the Accompt The Court referreth
him to his Ld^p for his allowance in that particular.

By the Lieuten^t and Governour of Maryland

P. 560

Licence to Whereas m^r Thomas Belcher of the County of
Tho: Belcher Annarundell within this Province of Maryland hath
made Suite to me for a Licence to keep an Inn or Ordinary in
Some place Convenient within the Said County for the Enter-
tainment and accommodation of Strangers & others as occasion

Liber B. Shall require. These are therefore to Licence and Authorize him the Said Thomas Belcher to keep an Inn, or Ordinary in any Convenient place within the Said County of Annarundell for the purpose aforesaid as is desired, And to make Sale of Beer, wine, Strong Waters or any other fitting and wholesome Drink Victualls or provisions in his Said Inn or Ordinary, he the Said Thomas Belcher keeping Good Orders and being
 p. 561 Conformable in the premisses to the Lawes of this Province. Given at St Maries under the Great Seale &c this 17th day of April Anno Domini 1654.

Willm Stone

[Proclamation of the Protectorate.]

p. 590

By the Lieuten^t and Governour of Maryland

A Preamacōn
 Publicat eod

Whereas I have lately received Certaine Intelligence that the Governm^t of the Commonwealth of England, Scotland and Ireland by a Lord protector and Successive Trienniall parliam^{ts} is already there Established, and that Oliver Cromwell Cap^t Generall of all the forces of that Commonwealth is declared Lord protector of the Said Commonwealth of England, Scotland & Ireland and the Dominions therunto belonging for his Life, And Whereas the Governm^t here Established under the Lord Proprietary of this Province according to his Pattent thereof is Subordinate unto and Dependent upon the aforesaid Governm^t of the Commonwealth of England Scotland and Ireland in Chiefe under God as one of the Dominions thereunto belonging, I have therefore with the advise of the Counsell of this Province thought it Necessary and doe hereby in the Lord Proprietarys Name make publication of the p^misses Strictly Charging and Commanding all and every person or persons of what quality or Condi^cōn Soever inhabiting Resideing or being within this Province to take Notice hereof and to Conform and Submitt themselves with all due obedience and Subjection to the Governm^t Soe Established as aforesaid in Chiefe under God. And all Sheriffes and other publicke Ministers and officers whom it May Concerne are required to Cause this Proclamācōn to be forthwith published in their respective Counties and other Usuell places for that purpose within this Province to the end that None may have Cause to pretend ignorance in this behalf. Given at St Maries the Sixth day of May Anno Domini 1654.

William Stone

Further likewise the Inhabitants of this Province & others whom it may Concerne ar required to take Notice that in Commeracōn of this present Solemnity I have thought fitt to

Grant a Generall pardon of all offences Committed in this Province Since the last Generall pardon with Such Expeditions and in Such Manner as Shall at the Publicacōn thereof the Next Court be Made Apparent, Given at S^t Maries the day and yeare abovesaid. Liber B.
P. 591

William Stone

[General Pardon.]

By the Lieutenant &c of Maryland

P. 595

A Proclamacōn
Publicat eod Whereas upon the Sixth day of this present Month of May Upon the Occasion and in Commemoration of the then publishing or proclaiming of his highness the Lord Protector, I did publicly declare that I thought fitt to grant a generall pardon of all offences Committed within this Province Since the last generall pardon with Such Exceptions and in Such Manner as Should be Made apparent at the Publicacōn thereof this Court. In pursuance whereof, These are in the Lord Proprietors Name to declare and publish, That I doe in Commemoration of the Solemnity before Mentioned pardon and remitt all pains forfeitures and penalties which any person or persons Shall or May Incurr or Sustayne for or by reason of any Crime misdemean^r or offence Committed within this Province against any the Laws, Ordinances or Orders for the Governm^t thereof Since the last generall pardon here published to this present day Except for further or Treason, and Except also all forfeitures or penalties for any Crime or offence at any time heretofore in any Court within this Province adjudged to be paid to the Lord Proprietary and not yet Satisfied nor remitted, And Except also all Such persons and offences as the Said Lord Proprietary hath by any Act under his Ld^{ps} hand & Seale at any time heretofore published within this Province Excepted from pardon, And Except Likewise all Rebellion Conspiracy Combination or Endeavour Used or practiced at any time heretofore by any person or persons against his the Said Lord Proprietaries right and Dominion in and over this Province or any part thereof, and not heretofore pardoned Given at S^t Maries this 23th day of May Anno Domini 1654. P. 596

William Stone

[Privateering in St. George's River.]

We the Governour and Secretary of the Province of Maryland whose Names are hereunto Subscribed doe declare and Certifie to all persons whom it may Concerne that in January last Cap^t Tho: Webber master of the Ship called the May p. 607

Liber B. flower of London then tradeing or intending to trade in the Said Province did with the assistance of his Said Ship men and Amunition thereunto belonging forcibly take as prize a Certaine Ship called the Maid of Gaunt then riding or run on Shore in St Georges River within the Said Province which had traded in Virginia the last year, having (as appeared to us) the Governour of Virginia's Warrant for So doing in regard as it Seems the owner and Merchants thereof were Inhabitants of the king of Spain's Dominion as by Commissions produced to that purpose appeared to our Understanding, And that with and in the Said Ship the maid of Gaunt the Said Cap^t Webber Likewise tooke as prize (as we are Very Credibly informed) 46 hhds of Tob: with divers goods & household Stuffe belonging to m^r Symon Oversey Merchant an Inhabitant of the Said Province of Maryland and that the Said Cap^t Webber refusing either to Submitt to a Tryall touching the premisses before the Governour and Councell of the Said Province or to make or give other Satisfaction therein, hath Carried away the Said Ship, Tackle, furniture Tobacco and Goods out of the Said Province as prize intending as we conceive for the Port of London, All which we declare and Certifie as aforesaid. Given at St Maries in the Said Province of Maryland under our hands this 12th day of June Anno Dñi 1654

William Stone: Tho: Hatton

p. 611

[Witchcraft.]

The Deposition of m^r Henry Corbyn of London Merch^t aged about 25th years, Sworne and Examined in the Province of Maryland before the Governour & Councell there (whose Names are hereunto Subscribed) the 23th day of June Anno Domini 1654. Saith That at Sea upon his this Deponents Voyage hither in the Ship called the Charity of London m^r John Bosworth being Master and about a fortnight or three weeks before the Said Ships arrivall in this Province of Maryland, or before A Rumour amongst the Seamen was very frequent, that one Mary Lee then aboard the Said Ship was a witch, the Said Seamen Confidently affirming the Same upon her own deportment and discourse, and then more Earnestly then before Importuned the Said Master that a tryall might be had of her which he the Said Master, m^r Bosworth refused, but resolved (as he Expressed to put her ashore upon the Barmudoes) but Cross wids p^rvented and the Ship grew daily more Leaky almost to desperation and the Chiefe Seamen often declared their Resolution of Leaving her if an opportunity offered it Self which

aforesaid Reasons put the Maste upon a Consultation with m^r Chipsham and this Deponent, and it was thought fitt, Considering our Said Condition to Satisfie the Seamen in a way of trying her according to the Usual Custom in that kind whether She were a witch or Not and Endeavoured by way of delay to have the Commanders of other Ships aboard but Stormy weather prevented, In the Interime two of the Seamen apprehended her without order and Searched her and found Some Signall or Marke of a witch upon her, and then calling the Master m^r Chipsham and this Deponent with others to See it afterwards made her fast to the Capstall betwixt decks, And in the Morning the Signall was Shrunk into her body for the Most part, And an Examination was thereupon importuned by the Seamen which this Deponent was desired to take whereupon She confessed as by her Confession appeareth, And upon that the Seamen Importuned the Said Master to put her to Death (which as it Seemed he was unwilling to doe, and went into his Cabbinn, but being more Vehemently pressed to it, he tould them they might doe what they would and went into his Cabbinn, and Sometime before they were about that Action he desired this depon^t to acquaint them that they Should doe no more then what they Should Justifie which they Said they would doe by laying all their hands in generall to the Execution of her, All which herein before Expressed or the Same in Effect this Depon^t averreth upon his oath to be true, And further Sayth not

William Stone Sworne before us the Henry Corbyne
Tho: Hatton day and year above written
Job: Chandler

The Deposition of ffrancis Darby Gent Aged about 39 yeares Sworne and Examined in the Province of Maryland before the Governour and Councell there whose Names are hereunto Subscribed the 23 day of June Anno Domini 1654. Saith

That at Sea upon the Voyage hither about a fortnight or three weeks before the Arrivall of the Ship called the Charity of London in this Province of Maryland, whereof m^r John Bosworth was then Master and upon the Same day that one Mary Lee was put to Death aboard the Said Ship as a witch he the Said m^r Bosworth Seeing him this Deponent backward to Assist in the Examination of her asked this Depon^t why? and tould him that he was pplexed about the busieness Seeing he did not know how he might doe it by the Law of England afterwards this deponent being present in the Round house heard the Said m^r Bosworth give Order that nothing Should be done concerning

Liber B. the Said Mary Lee without Speaking first with him, and after
 p. 613 She was put to Death or Executed to the best of this Deponents remembrance he Said he knew nothing of it, And this Deponent Saith that the Said Bosworth was in the inner room of the Roundhouse, he this deponent being in the next room at the time they treated about the busieness And this Depon^t could not perceive any thing either by word or Deed whereby he gave order for her Execution or putting to Death and after this he Commanded they Should doe Nothing without his Order and alsoe after the Execucōn, expressed he knew not of it for that this Deponent hearing these words (She is dead) ran out and asked who was dead, and it was replyed the witch then this Deponent Entred the next Room and Said they have hanged her and he the Said Bosworth thereupon as it were Speaking with trouble in a high Voyce replyed he knew not of it All which herein before Expressed or the Same in Effect this Deponent averreth upon his oath to be true, And further Sayth not.

Sworne before us the day and

Francis Darby

Yare abovewritten

William Stone

Tho: Hatton

Job Chandler

[Erection of Calvert County.]

p. 614

Tertio die Julij 1654.

Forasmuch as the right Hono^rble the Lord Baltemore Lord Proprietary of this Province by his Instructions to the Governour and Councell here dated the 28th of September 1653 has discharged Robert Brooke Esq late Commander of Charles County from being of the Counsell, Conservator or Justice of the peace or Commander of any County within this Province. The Governour hath thought fitt for divers reasons relating to the publick Good And doth this day by advise of Counsell make Void and Villify an Order or Constitucōn made the 21th of November 1650 touching the Erecting Some part of the South Side of Putuxent River into a County by the Name of Charles County, And instead thereof doth now Erect make and appoint
 p. 615 both Sides of Putuxent River into one County by the Name Calvert County Bounded on the South Side with Pynehill River or Creeke to the head thereof and from thence through the woods to the head of Putuxent River being the Northerly bound of St Maries County, and bounded on the North Side with the Creeke upon the Western Side of Chesepeacke Bay called the herring Creeke and from thence through the woods to the head of Putuxent River being the Southerly bound of Annrundell County, And the Governour this day likewise appoints m^r Richard Collett to be high Sheriff of Calvert County above

CECILIUS CALVERT, LORD BALTIMORE,
Proprietary.

WILLIAM FULLER
and others,
Commissioners.

1654-1657.

Aug^{ti} 8^o 1654.

Liber B.
p. 618

Recorda
Incepta
W^{mo} Durand
Secret

Commission for the Administration of Justice
in the Province of Maryland now Reduced
and Settled under the obedience of the Com-
monwealth of England in the Name of his Highness the
Lord Protector of England, Scotland, Ireland and all
the Dominions thereto belonging, Given by the Honble
Richard Bennett Esq and Colonell Will^m Clayborne
Commission^{rs} for his Highness to the Reduceing and
Settling the Plantatations of Virginia and Maryland
Under the Obedience aforesaid.

Whereas by Severall Orders drawn up and published at St
Maries the 29 of March and the 28 of June 1652 The Province
of Maryland was reduced and Settled under the Authority and
obedience of the Commonwealth of England as to the Governm^t
thereof by Speciall Order and Command of the Councell of
State by Commission from the Parliament, and was left in the
hands of Cap^t William Stone m^r Thomas Hatton and others
who were required to issue Out all writts and other processe
in the Name of the keepers of the Libertys of England, accord-
ing to the Express words of the Commission and instructions
for reduceing Settling and Governing of all the Plantations in
the Bay of Chesapeacke to the obedience of the Commonwealth
of England, as in and by the aforesaid Orders or Proclamations p. 619
may and doth appeare. And Whereas the aforesaid Cap^t W^m
Stone by Speciall order from the Said Lord Baltemore (as it
appeareth) was perswaded and induced to goe away from his
obligation and the trust reposed in him by Issueing forth writts
and all other processe in the Name of the Lord Proprietary of
this Province, placeing and Displaceing those of the Councell
& Imposing an Oath upon the Inhabitants Contrary to and
Incosistent, with their engagem^t and oath to the Commonwealth
of England upon the penalty and forfeiture of the lands of all
Such as Should refuse to take the Same within three Months
after Publication thereof which were then to be Entred and
Seized upon for his Ld^{ps} use thereby occasioning great dis-
content and disturbance among the Inhabitants, besides the
Irregularity and Cruelty of the Said proceeding and the oppo-
sition and Rebellion therein to the Commonwealth of England,
& his highness the Lord protector. And further Whereas by

Liber B. a late Proclamation dated the 4th of this Month published in the Said Province, both the Commission^{rs} and the people (who adhered to their engagem^t to the Commonwealth of England and refused to own or acknowledge any other Name or Authority (as to Governm^t) or to take any other oath but what they had already taken to that power) were charged that they drew away the people, and led them into faction, Sedition & Rebellion against the Lord Baltemore, whereby not onely the Lands houses and plantations of many hundreds of people, but also their Estates and lives were liable to be taken away at the pleasure of the aforesaid Lord Baltemore and his officers; by all which unjust and Unreasonable proceedings the people

p. 620 were put upon a Necessity of Standing upon their own defence for the Vindication of their Just rights & Liberties & freeing themselves from those great oppressions whereby the whole Province was very much threatned & apparently endangered For the prevention whereof as alsoe for the Reliefe of those that were So deeply distressed, and for the Settlement of the Province in peace and in their due obedience under his highness. The Said Commissioners by authority derived to them from his Highness the Lord Protector applyed themselves unto Cap^t William Stone the Governour & the Counsell of Maryland, according to a Declaration of the 15th of this Month herewith published, who returning onely opprobious & uncivill Language, presently Mustered his whole power of men & Soldiers in Armes intending to Surprize the Said Commissioners and (as could be imagined) to destroy all those that had refused the Said unlawfull Oath, & onely kept themselves in their due obedience to the Commonwealth of England Under which they were reduced and Settled by the Parliaments Authority and Commission Then the Said Commission^{rs} in quiet & peaceable Manner with Some of the people of Putuxent & Severne went over the River of Putuxent, and there at length received a Message from the Said Cap^t Stone, that the next day he would meet and treat in the woods, And thereupon being in Some fear of a party to Come from Virginia he Condescended to lay down his Power lately assumed from the Lord Baltemore, and to Submitt (as he had once before done) to Such Government as the Commissioners Should appoint under his Highness the Lord Protector.

It is therefore Ordered and declared by the aforesaid Commissioners, That for the Conservation of the peace and publick Administracōn of Justice within the aforesaid Province of Maryland Cap^t William Fuller m^r Richard Preston, m^r William Durand m^r Edward LLOYD Cap^t John Smith, m^r Leonard Strong m^r Lawson m^r John Hatch m^r Richard Wells

p. 621 and m^r Richard Ewen or any four of them whereof Cap^t

William Fuller, m^r Richard Preston or m^r William Durand to be alwaies one to be Commissioners for the well Ordering, directing and Governing the affaires of Maryland under his highness the Lord Protector of England, Scotland, Ireland and the Dominions thereof, and in his Name onely and no other, and to proceed therein as neare as may be to the Lawes of England. To appoint and hold Courts for the due Administration of Justice and Right in Such places and at Such times as they Shall thing meet and Necessary, And any of the Commissioners of the Quorum to issue out Writts, Warrants & Subpœnas &c: As alsoe that they Summon an Assembly to begin on the 20th day of October Next. For which Assembly all Such shall be disabled to give any Vote or to be Elected Members hereof as have borne Armes in Warr against the Parliament or doe profess the Roman Catholick Religion, And the Said m^r William Durand is hereby appointed to be Secretary to the said Commission^{rs} and to receive the Records from m^r Thomas Hatton And Cap^t John Smith to be Sheriffe for this ensuing year, Dated at Putuxent River in the Province of Maryland the 2th day of July 1654.

Recordum Verum Teste
V^{mo} Durand Secr.

Ri: Bennett
W^m Claiborne

Y^r Hon^{rs}
You are hereby Required to deliver the Records of this Province and all the papers concerning the Same unto m^r William Durand or whom he Shall appoint to receive them from you July 22. 1651

To m^r Thomas Hatton
These

Ri: Bennett
W: Claiborne

To the Hon^{ble} Assembly held now this p^rsent October for the Governing and Settling of this Province of Maryland, p. 632

The Humble Peticōn of John Sturman Sheweth That Whereas there was a Suit depending between your Petitioners p. 633
father, William Hardwich and Cap^t Thomas Cornwalleys who Sued all of us as aforesaid in an Action of one thousand pound Sterling, which Suit comeing to a hearing about April last was twelve month, the Said Cap^t Cornwalleys not proving any thing against us, there the petition^{rs} proved Severall pardons by the former Governo^{rs} Leo: Calvert Esq, m^r Thomas Greene and Since my Lord Baltemore then Proprietary of this Province which pardons was confirmed by act of Assembly, and an Act of oblivion to remitt all offences, yo^r petition^{rs}



Liber B. pleading and proved that the Said Cap^t Cornwalleyes brought not his Sut within Compass of time, he having an Attorney here in the Countrey, and when all parties had alledged what they could, It was then the opinion of the Court, with the consent of both parties, to have the opinion of the next Generall Assembly unto whom it was referred as may appeare upon Record, Notwithstanding the faire proceedings as afores^d the aforesaid Cap^t Cornwalleyes writt to my Lord, that he was delayed in Justice Concerning yo^r Petition^{rs} father and yo^r Peticon^r my Lord Baltemore writeing unto Gôvernour Stone, the afores^d Cap^t Cornwalleyes obtaining an attachm^t against my father's Estate, to the Value of tenn thousand pounds of Tobacco and Caske, takeing his Servant and Cattell without Bail or Mainprize, and likewise arresting yo^r Petitioner in an Action of ten thousand more and to Answer at the next Court, your Petition^r appearing and finding that it was, the opinion of the Governour & Councell to follow my Lords Order and likewise the Governour displacing of Some of the Councell, which was at the Court upon the former proceedings Referred, and issueing all processe in my Lord Proprietaryes his Name, and not according to the Governm^t to whom yo^r Petition^r had Subscribed ingagm^t under the Commonwealth of England yo^r Peticon^r Condescended to put it to Arbitration not Subscribing
 P. 634 any thing under hand to ingage your Petition^r to Stand to it, the Arbitrators awarded your Petition^{rs} father & himself to pay Eleven hundred and fiftie pounds of Tobacco in Caske without Ground Leaves, and to pay all Charges of Court provided that the aforeSaid Cap^t Cornwalleyes was Contented to take of Will Hardwich one hhd of Tobacco which he was Contented to give him, by the perswasions of Some friends, and the afores^d Cap^t gave him a Generall discharge, provided that the Said Harditch Should noe way Councell yo^r Petition^r in his afores^d proceedings which if he did it Should be noe discharge, and yo^r Petitioners father dying before any Such Tryall was made, Soe that there is none Concerned in the aforesaid Order of Refference but your Petitioner.

The premisses Considered your Petition^r humbly craveth that he may have the opinion of this Honourable Assembly according to the order of reference in that behalf, Notwithstanding the afores^d unjust proceeding, and that it will please you that an Act may be framed, for the Settling things of So long Standing And he as in duty bound Shall pray.

Liber B.
 L. O. R.
 No. 3,
 P. 140
 P. 141

Whereas the ordering directing and Governing the affairs of Maryland for the Administracon of Justice Conservation of the peace is Committed to us by the Supream Authority of the Commonwealth of England, And also the Militia is Com-

mitted to us by the Same power and also by Act of Assembly in that Case Provided, It is therefore Ordered that for the more Convenient Administration of Justice and Government in the Limits of S^t Maries and Potomock, Cap^t Robert Sly be admitted into the Number of the Commission^{rs} of the Province and Councell of State in Maryland to act in that place as a Councello^r or Commission^r in all matters that Concerne the Honor of the Lord Protector and Commonwealth of England, the Good and wellfare of the people of this Province, as fully as the rest of the Councello^{rs} & Commission^{rs} have power to doe, And that the Said Cap^t Robert Slye m^r John Hatch and m^r Lawson Shall have power to issue out Writts & process both for the Provinciaall Courts County Courts or any other necessary occasion for the Commonwealth, And the Said m^r Hatch and m^r Lawson to be in Speciall assistant to the Said Cap^t Robert Slye himself officers & Soldiers in in repelling and Suppressing any opposition ag^t the present Government made by the Lord Baltemore or any other, And that an Account be kept what Warr^{ts} or Writts any of the S^d Councellers Shall Grant, and the return of them may be Enquired after in the Courts &c

Liber B.
L. O. R.
No. 3.

It is ordered that Cap^t John Smith Shall be Constuted Muster Master Generall for S^t Maries Potomock and Putuxent Counties, And is hereby Impowered to exercise the Said office in as large and ample Manner as hath been formerly practiced by Such an offic^r and as the present occasions doe or may require here

It is ordered that Cap^t John Smith doe take what Care he may Concerning the Estates of Delinquents which are Sequestred in Putuxent and Potomock and S^t Maries to take an Inventory thereof and use Such prudent means to Save Indamnified the Said Estates as he Shall think fitt untill further Order Come from the Governour & Councell under his highness the Lord Protector

According to an order of the Provinciaall Court holden at Putuxent the 24th of Apr^l 1655 That Cap^t John Smith and Cap^t Peter Johnson Should be Commanders of the Military forces in Putuxent River on both Sides of the River, We doe therefore in the Name of his Highness the Lord Protector of England Scotland Ireland and the Dominions thereunto belonging Constitute ordaine and appoint, You Cap^t Jn^e Smith to be the Chiefe Commander of all Such as Shall be Nominated and Listed Soldiers of the Trayne band for the Service of the Commonwealth from Leonard's Creek downwards includeing the Eastern Side of the Said Creeke and both Sides of the River Giving and Granting unto you full power & Authority

Liber B.
L. O. R.
No. 3.

p. 147

to make Choice of Soe many able men in the S^d limit as you Shall think fitt and present their Names to the Court, And also to muster and Exercise them in Armes and take Care that they be in a readiness upon all occasions for the repelling & repressing of all those who Shall act Consult or appeare against the Government here Established under his Highness the Lord Protector, And if any want Armes, then that you warn them to provid themselves thereof as they ought to doe by the Act of Assembly in that Case provided, And if they Cannot at present provid themselves of Sufficient Armes, then you are Authorized hereby to procure Armes for them, either by buying Armes upon the publick account or furnishing that want from the publick Magazine, And you are hereby Impowered to Employ the Said forces from the Generall as Needs Shall be and as you Shall receive order and Commission from the Generall or Councell of State, any of them which are of the Quorum, And to Chuse and Nominate your Lieutenant, and other officers in yo^r Company from which officers and Soldiers you Shall take Solemn ingagment of faithfullness and Duty to his highness the Ld protecto^r and the Governm^t Established in this Province under him to you their Cap^t in the affaires of the Publick peace and wellfare of this Province, And we doe hereby in the Name of his Highness the Lord Protector Strictly Charge and require all the officers and Company aforesaid to acknowledge yo^r Self as their Captaine and to yeild all ready obedience to your Commands lawfull & necessary as Good Soldiers and Loyall Subjects of the Commonwealth Given under our hands this 24th day of April 1655

p. 145

At a Provinciall Court held in Putuxent
the 26th day of June 1655.

Present.

Comission^{rs}

Cap^t William ffuller
m^r Richard Preston
m^r Edward LLOYd

Cap^t Richard Ewen
m^r John Hatch

Whereas it appears that the attendance of Divers Members of this Court is taken off & by reason of their Severall occasions and Employments Calling them at present out of the Province, and the Great Cause and Necessitie there is of ading assistance unto the Same The Court hath thought fitt and doth therefore order that m^r Thomas Meares & March to be Commissioners for the Provinciall Court and that Notice be given them to Make their appearance at the next Provinciall Court held at Severne there to take their Charge upon them.

At a Provinciaall Court holden the 13th of August 1655

Liber B.
L. O. R.
No. 3.

It is ordered that Cap^t Sampson Waring (who had former order for the Same, m^r Michaell Brooke m^r Robert Pott m^r Woodman Stockley be added to the Number of the Provinciaall Commissioners of Maryland and are hereby Impowered to act as Commissioners of the Said Province as fully as is Granted by the Commissions of his highness the Lord protector of England Scotland Ireland and Dominions thereunto belonging by their Commission upon the Records of the Said Province as at large appeareth therein. p. 146.

| | |
|-----------------|-------------|
| William ffuller | Ri: Ewen |
| Edward LLOYD | Tho: Meares |
| Rich: Wells | Tho: March |

At a Provinciaall Court holden the 13th of August 1655

Present. Cap^t William ffuller Governo^r m^r Thomas Marsh
m^r Edward Lloyd. m^r Thomas Meares
m^r Richard Wells.
Cap^t Richard Ewen.

It is ordered that the Captaines of the Trayn bands of Putuxent Shall require all the Inhabitants fitt to bear Armes to appeare at their Exercises, which if after warning & having no Just Cause to hinder them they deny then the S^d Captaines Shall fine them, And if they Continue obstinate disarme them, And whereas divers persons of Putuxent have had Gunns lent unto them from the publick; It is ordered that they Shall be delivered up to the Captaines, Except the persons are well affected to the present Government & approved themselves p. 148
Such as are fitt to be Confided in p. 149

| | |
|------------------|---------------|
| William ffuller. | Richard Ewen |
| Edward Lloyd. | Thomas Meeres |
| Richard Wells. | Thomas Marsh |

At a Court holden the 22th of Aug^t 1655

Present { Cap^t W^m ffuller Cap^t Sampson Waring
m^r Edward Lloyd m^r Tho: Meeres.
Cap^t Ri: Ewen

It is ordered that the Sheriffe Shall have power and is hereby impowered to distraine the Goods of all Such persons as Shall refuse to pay unto him or his assigns all or any Such ffees as are due to him or Shall deny to pay him Such Tobaccos as are due by Levies & Secretarys ffees which he is to Receive.

William ffuller

Liber B.
L. O. R.
No. 3.
p. 239

Noverint Universi per presentes nos Sampsonem Waring de Comitatu Putuxent in Provincia Maryland gen et Iohan Norwood de Comitatu Providentiæ in eadem Provincia gen Teneri et firmiter obligari Olivero Dño Protectori Angliæ, Hibernæ, Scotiæ et Dominijs pertinentibus, in Mille libris bonæ et legalis Monetæ Angliæ Solvend in Tobacco eidem Dmño Protectorj aut assignat et atturnat Vel Comissionarijs Ad quam quidem Solutionem bene et fidelit faciend obligamus nos et utrumq nrñ hered executores et Administratores nrōs et Utriusq nruñ p Se p toto et in Solido firmiter p presentes Dat Decimo die decembris Anno Dñi 1655

The Condition of this obligation is Such that if the above bounden Sampson Waring being appointed and Sworne Sheriffe for Putuxent S^t Maries and Potomock Counties in the Province of Maryland Shall well and duly Execute the Said office of Sheriffe in the Said precincts to the best of his knowledge & ability then this obligation to be Void, otherwise to remaine in force

| | | |
|---|--|--|
| Signed Sealed & dd in the p'sence of W ^m Durand Sec. W ^m owen Iames Langworth Peter Ionson | } Recordum verum ex originali Teste | } Sampson Waring Iohn Norwood _____ Ri: Preston |
|---|--|--|

Know all men by these presents that We Iames Veitch Sheriffe of Putuxent S^t Maries & Potomock next unto Cap^t Waring high Sheriff of the S^d precincts Shall well and truely Execute and perform the office of Sheriff in the precincts afore-said according to the Lawes and orders of Assembly & Courts
p. 240 & duely Execute all writts receive and give account of all publick Levies and dues to officers, both what

Memorandum that the above Entry is Crossed out in the Orriginall Record Booke

Know all men by these presents that We Iames Veitch Peter Iohnson ffrancis Brookes doe acknowledge our Selves indebted unto Oliver Lord Protector of England in the full Quantity of one thousand pounds sterling to be paid in Tobacco to the Said Lord Protector his Attorney Assignee or Commission^r for the which payment well and truely to be made and done we bind our Selves and either of us our heirs Executors and Administrators Severally and Iointly for the whole firmly by these presents, Given under our hands and Seales this tenth day of December 1655

The Condition of this obligation is Such that if the above bounden Iames Veitch Sheriffe of Putuxent S^t Maries and

Potomock next unto Cap^t Sampson Waring high Sheriffe of the Said Precincts Shall well and truely Execute and performe the office of Sheriffe in the precincts aforesaid according to the Laws and orders of Assembly & Courts and duely Execute all Writts Receive and give acc^t of all publick Levies and dues to officers both what is past in that which he and Cap^t Iohn Smith have had Committed to them, and also for the future during the time of the Continuance of the Said office to him then this obligation to be Void, or Else to Remaine in force and Vertue

Liber B.
L. O. R.
No. 3.

p. 241

Signed Sealed and dd in the
p^resence of William Durand Secret

James Langworth

Iohn Barriffe

James Veitch

Peter Iohnson

Francis Brookes

Recordum Verum
ex orriginali

} Ri: Preston

Abstract of Lord Baltimore's Patent

20. June 1656.

P. R. O.
Colonial
Papers. Vol.
XII, No. 71.

Know yee therefore, that wee favouring the Pious and Noble Purpose of the said Baron of Baltimore of our especiall Grace, certain knowledge and meer motion have given, granted and confirmed, and by this our present Charter for us, Our Heirs and Successors do give, grant and confirme unto the said Cecilius, now Baron of Baltimore, his heires and Assignes all that part of a Peninsula, lying in the parts of America between the Ocean on the East and the Bay of Chesapeak on the west, and divided from the other part therof, by a right Line drawn from the Promontory or Cape of Land called Watkins Point (situate in the foresaid Bay near the River of Wighio) on the west unto the main Ocean on the East; and between that bound on the south unto that part of Delaware Bay on the north which lieth under the 40th degree of North-erly Lat from the equinoctiall, where New England ends; and all that Tract of Land between the Bounds aforesaid; that is to say, passing from the foresaid Bay called Delaware Bay, in a right line by the degree aforesaid unto the true Meridian of the first fountain of the River of Pattacomeck and from there tending toward the south unto the farther bank of the foresaid River, and following the west and south side thereof unto a certain place called Cinquack situate near the mouth of the said River where its fall into the Bay of Chesapeak, and from thence by a streight Line unto the foresaid Promontory and place called Watkins Point (so that all that Tract of Land divided by the Line aforesaid drawn between the main Ocean and Watkins Point unto the Promontory called Cape Charles, and all its apurtenances do remaine intirely excepted to us, Our Heires and Successors for ever.

Order of the Councell of State
Thursday the 31th of July 1656.

Domestic
regnum.
Vol. 105,
p. 303

Sent the Comee of Trade
with the petitioner's report
& papers.

On consideration of a report from the Committee of the Councell, to whom the humble petition of Richard Bennet, and Samuel Mathews Esq^{re} Agents for Virginia, and the rest of the plantations in the bay of Chesapiake, was referred; and in concurrence therewith Ordered that the said petition together with the humble representation of the Governor, Councell and burgesses of the Grand assembly in Virginia thereunto annexed, as also a report from the Lord Comm^r Whitlock, and the Lord Com^r Widrington, made to the Councell, in pursuance of his Highness reference to them, upon the humble petition of Cecilius Lord Baltemore, and the severall papers thereunto annexed, be referred to the Committee for Trade, who are to consider thereof, and to informe themselves of the State of the Case, upon the premisses, and thereupon to certify the same, with their opinion, to his Highness, and the Counsell.

Liber B.
No. 3,
p. 257

The 23^d of March 1656

p. 258

Whereas the Militia of this Province by reason of the Death and absence of Some of those into whose hands it was Committed Especially in the County of Putuxent, is not attended to whereby the Inhabitants is left to the Incursion of the Indians and others that may Seeke the disturbance of the peace and Safety of this Province, It is therefore ordered for the further Settlement thereof, that the Inhabitants may be the more Secured thereby, Commissions be Granted to Such as may be Chosen to be Captaines in Severall respective Limitts as need Shall require, And for the present that m^r Woodman Stockley be Impowered by Commission to be Captaine over and Execise all the Inhabitants, and to See that they have and keep their Armes fixt, and in readiness from m^{rs} Brookes Plantacōn on both Sides the River of Putuxent and upwards, and Lieuten^t Henry Keen, be Impowered by Commission to be Cap^t over, and to Execise, all the Inhabitants from the Plantations of the aforesaid m^{rs} Brookes, downwards on both Side the River and Creekes to the mouth of the River, Including the plantation of m^{rs} Eltonheads on the one Side downward, and upward as high as the plantation of Henry Cox And m^r Phillip Morgan to be Impowered by Commission to be Cap^t over and to Exercise all the Inhabitants upon the Bay Side from the Plantation of the Said Henry Cox upwards to the highest Extent of the County of Putuxent

Present { Cap^t William fuller,
m^r Richard Preston,
m^r Edward Lloyd,
m^r Tho: Meeres,

M^r Michael Brookes
M^r William Parker
M^r William Parratt

CECILIUS CALVERT, LORD BALTIMORE,

Proprietary.

JOSIAS FENDALL,

Governor.

1657-1660.

C: Baltemore.

Liber II. II.

p. 6

Commission to Cap:
Josias Fendall.

Cæcilius Absolute Lord & Proprietary of
the Provinces of Maryland & Avalon Lord
Baron of Baltemore &c: To all the inhabitants & people in
Maryland and to all others whom these presents shall any
way concerne Greeting Knowe yee that for divers speciall
causes & consideracons Vs heerevnto moueing Wee haue
reuoked and determined and by these presents do declare that
Wee do heereby revoke & absolutely determine all former
Commissions granted vnto William Stone esq^r or to any other
person or persons concerneing the Government of the said
Province of Maryland and all power and Authority granted
vnto him thereby or to any person Whatsoever. Neverthelesse
vpon consideracon that the People there can not subsist &
continue in peace & safety without som good Government be
settled & established as well for the cherishing & supporting
of the good People & well affected as for the punishment of
the vitious & disorderly persons there Wee haue thought fitt
to Nominate Constitute & appoint And wee do heereby p. 7
Nominate Constitute & appoint Josias Fendall of the Province
of Maryland in America Gent: Our Lieutennant & Cheife
Governor of the said Province of Maryland with the Islands
therevnto belonging And by these presents Doe grant vnto
him the Cheife Command power & Authority vnder Vs ouer
the said Province and Islands therevnto belonging To Have
and To Hould the same dureing Our pleasure in as ample &
large Manner to all intents and purposes as was formerly
Granted by Vs vnto Captaine William Stone Our Late Lieu-
tenant there. And Wee doe heereby Nominate Constitute &
Appoint the said Captaine William Stone M^r Thomas Gerard,
Colonell John Price M^r Job Chandler and M^r Luke Barber &
such other person or persons not exceeding three in Number
as the sayd Josias Fendall shall Nominate & appoint to be of
Our Councell in the said Province, And to haue the like and
as ample Authority priuiledges & advantages as those of Our
Councell formerly had there. And Wee doe further heereby
Authorize the sayd Josias Fendall to appoint such a fitt person
or persons for whom he will be responsible as he shall thinke
fitt to be Our Secretary & Receauor Generall there for the
present till Our pleasure be further Knowne therein and to
cause all rents arreares of rents and all other dues belonging

Liber H. H. to Vs in that Province to be for Our vse demanded Leavyed and Payd to Our said Receivor so to be Nominated & appointed by him the said Iosias Fendall as aforesaid, and to be afterwards disposed of according to such instructions or directions as Wee haue or shall give to him the said Iosias Fendall for that purpose. Given vnder Our hand & Greater Seale at Armes. The tenth day of Iuly in the five and Twentieth yeare of Our Dominion Ouer the s^d Province of Maryland and in the yeare of Our Lord God one thousand sixe hundred fifty six.

British
Museum
Add. MSS.
15489.
pp. 16 to 19

Instructions directed by the Right Honorable Cæcilius absolute Lord and Proprietary of the Provinces of Maryland, and Avalon, Lord Baron of Baltemore etc, To his Lordship's Lieutenant and the rest of his Lordship's Council of the said Province of Maryland for the time being.

Whereas upon his Lordships Complaint to his Highness the Lord Protector, that he was interrupted in his Rights and Iurisdictions in Maryland by Richard Bennett Esq^{re} and others whereupon many Mischiefs have ensued there, his Highness was pleased to refer the same by an Order of the second of November 1655, to the Examinations of the Lords Commissioners Whitlock and Widdrington who did accordingly examine the matter of Fact and made their Report to his Highness bearing date the last of May 1656. which Report together with the Papers thereunto annexed, and the Representation of the Governors and Assembly of Virginia were afterwards upon the Petition of the said Richard Bennett, and Samuel Matthews, as Agents for Virginia and the rest of the Plantations in the Bay of Chesapeak, by an order of the 31st of Iuly last referred to his Highness Committee for Trade etc, to consider thereof and to inform themselves of the State of the Case upon the Premisses and to certify the same to his Highness together with their Opinion And whereas his Highness said Committee for Trade, in pursuance of the said Order did take the Premisses into Consideration and accordingly go through the whole Report of the said Lords Referrees, and upon perusal thereof and further hearing of both parties did think fit for the prevention of such Disturbances as might hereafter arise in Maryland to desire the said Richard Bennett and Samuel Matthews, to make some Proposals for the Settlement and Peace of the said Province, which they accordingly tended to the said Committee, and his Lordship at the Request of the said Committee gave his respective Answers thereunto, with which Answers the said Richard Bennett and Samuel Matthews have declared themselves satisfied which said Proposals and Answers, the said Committee for Trade did on the 16th Day of September last

report unto his Highness together with their Opinion and Advice concerning the whole state of the Case a Copy of which said Report attested by the Clerk of the said Committee is hereunto annexed, wherein his Highness hath been pleased to promise his Lordship a dispatch with all convenient Expedition.

British
Museum
Add. MSS.
15489.

In the meantime therefore his Lordship wills and requires his said Lieutenant and Council that in case the said people at Ann Arundell and such other places in the said Province of Maryland as have opposed his Lordship's Government there, shall quietly and peacefully submit themselves to the same according to his Lordship's Patent, as he used and exercised the same there before the troubles began, vizt. in the year 1650 and according to the advice of the said Committee mentioned in the said Report that then his Lordships said Lieutenant and Council do see his Lordship's Agreement mentioned in the said Report duly performed there on his part.

His Lordship wills and requires his said Lieutenant and Council that the Law in the said Province, intituled, An Act concerning Religion and passed heretofore there with his Lordship's Assent whereby all Persons who profess to believe

in Iesus Christ have Liberty of Conscience and free Exercise of their religion there be duly observed in the said Province by all the inhabitants thereof & that the penalties mencōned in the said Act be duly putt in Execution vpon any offenders against the same or any part thereof.

Liber II. H.
P. 3

3. That his Lordships said Lieutennant doe cause such proportions of land to be Surveyd and assigned (except Royall mines to such seuerall persons as followeth vntill his Lo^p shall send a newe Greate Seale thither (which he will shortly do) whereby the s^d lands may be granted by pattent vnder the same (vizt)

To Capt: Iosias Fendall his Lordships Present Lieut^r there two thousand acres of Land according to his Lo^{ps} direction in his letter to his s^d L^t Cap: Iosias Fendall beareing date 23th day of August 1656.

To M^r Luke Barbar a thousand acres at Portobacco late in the possession of Coll: Yarly deceased in case itt appeare the said Coll: Yarly or his wife or his heires haue no right there vnto as his Lo^p is informed they haue not according also to his lo^{ps} former directions in his letter to his s^d L^t beareing date 27th day of August 1656.

To M^r Thomas Truman one thousand Acres according also to his Lo^{ps} former directions in his said letter to his s^d L^t beareing date the aforesaid 23th day of August 1656.

Liber H. H.

To Mr George Thomson one thousand Acres.

To Mr John Langford fiteene hundred Acres

To Mr Henry Coursey one thousand Acres.

Provided that none of the lands aboue mentioned be assigned in any place formerly disposed of by his Lo^p or his Authority to any other person nor sett out nor reserved for his Lordships Owne Vse. And Provided that in the said assignements the vsuall respective yearely rent of two shillings sterling for euery hundred acres of all the said lands to be payed to his Lordship & his heires for the same be reserved & payed respectively or the valewe thereof in such Comoditys as his Lo^p or his Heires or his or theyr officer or officers appointed from time to time to collect & receaue the same shall accept in discharge thereof for all w^{ch} this shall be y^r Warrant.

p. 4 4 That they doe take speciall care of those Widdowes who haue lost theyr husbands in & by occasion of the late troubles there vizt M^{rs} Hatton M^{rs} Lewis & M^{rs} Eltonhead whom his Lo^p would haue his said Lieutennant to cause to be supplied out of such rents & other Proffitt as are due to his Lordship & can be gott for theyr present releife and subsistence in a decent manner in case they stand in need thereof & that they lett his Lordship Knowe wherein he can doe them any good there in recompence of theyr sufferings of w^{ch} his Lo^p is very sencible & that they assure them on his Lo^{ps} behalfe that he will continue his vtmost endeauors (by solliciteing his Highnesse & Councell for the procureing of Justice to be don them for the lives of theyr husbands & satisfaction for theyr losses from those who haue don them so greate Jniuries w^{ch} he doubts not but will be at last obtained.

5. That they cherish & comfort in what they can all such persons as haue approved themselues faithfull to his Lo^p and don good service in the late troubles there: that his Lo^{ps} said Lieu^t preferre those persons before any others to such places & imployments of trust & profitt as they may be respectively capeable of & in particular Mr Thomas Truman Mr George Thomson Lieu^t Thomas Tunnell & Mr Barton & that his said Lieu^t & Counsell lett his lo^p vnderstand from time to time wherein he can vpon any occasion requite them & others who haue bin faithfull to his Lo^p as aforesaid with any thing there for theyr advantage according to theyr respectiue meritts assuring them that his Lo^p will be very ready & willing to gratify them in any thing that shall be reasonably desired of him & in his power to doe.

6. That whereas a Windmill att S^t Marys w^{ch} was formerly belonging to Maior Gen^l Edward Gibbons late deceased was assigned by the said Gibbons his Widdowe to his Lo^p in satisfaction of a debt of one hundred pounds Ster^l due to his Lo^p

from the said Maier Gibbons His Lo^p requires his said Lieut^t and Councell to take speciall care that the said Mill be preserved & improved to the best advantage for his Lordships vse & benefitt. Liber H. H.

7. That they doe take speciall care that no encroachments be made by any vpon any part of his Lopps said Province for the better preuention whereof his Lo^p requires his said Lieut^t & Councell to cause the Bounds thereof to be kept in memory & notoriously Knowne especially the bounds betweene Maryland & Virginea on that part of the Country knowne there by the name of the Easterne shore to w^{ch} purpose his Lop would haue them peruse one of the Maps of Maryland w^{ch} his Lo^p formerly sent thither whereby the said bounds are described & his Lo^p hath also for theyr direction therein sent heere with a Coppy of a Proclamacōn published heeretofore by the Then Govern^r & Councell of Virginea for prohibiteing any of Virginea to trade with the Indians in Maryland without his Lordships Lycence which Proclamacōn bore date 4th of October 1638 & therein are described the bounds betweene Maryland and Virginea the said Coppie haueing bin transcribed out of another Copie thereof w^{ch} his Lordship hath attested by M^r Richard Kempe deceased who was Secretary of Virginea when the said Proclamacōn was made. Given vnder his Lordships seale at Armes 23th of October 1656. p. 5

C: Baltemore

C: Baltemore.

p. 7

Commission to
Philip Calvert Esqr

Cæcilus Absolute Lord & Proprietary of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c To All the Inhabitants & People in the said Province of Maryland & to all others whom these presents shall any way concerne Greeteing Know Yee that Wee reposeing speciall trust and Confidence in the Wisdom Diligence and Fidelity of our very loving Brother Philip Calvert Esq, haue Constituted Appointed & Ordained And by these presents do Constitute appoint & Ordaine him the said Philip Calvert to be one of Our Councell of State and Conservator & Justice of Peace within Our said Province of Maryland vntill Wee or Our Heires shall signify Our or Theyr pleasure to the Contrary vnder Our or Theyr hand & seale at armes And Wee do heereby give and Grant vnto him the said Philip Calvert full power and authority for that purpose from time to time and at all times dureing his so beeing of Our said Councell of State there to meete & assemble himselfe in Counsell vpon all occasions in Our said Province with Our Lieutenant of Our said Province for the time beeing & others of Our Councell p. 8

Liber H. H. there and in all things to doe & Act as one of Our Councell of State of Our said Province in as ample manner and forme as any other Councellor of Ours there can may or Ought to doe (as beeing of Our said Councell of State there). And we doe heereby further will & Grant that he the said Philip Calvert shall haue receaue & enioy all such powers Priviledges Preheminenes Iurisdicōns Immunitys and Advantages Whatsoever which are belonging & Incident to one of Our Councell of State & Conservator & Justice of Peace there (in as full & Ample manner as any other of Our Councell there) may can or ought to haue & enioy as a Councellor Conservator & Justice of Peace in Our said Province Heereby willing & requireing Our said Lieu^t & the rest of Our Councell of the said Province of Maryland to admitt & receaue him the said Phillip Calvert as one of Our Councell of State Conservator & Justice of Peace of and in Our said Province as aforesaid. Provided allways that he take in open Court in Our said Province the Oath of a Councellor of State appointed by Vs to be taken by those of our Councell there before he sitt or Act as one of Our Councell of State and Conservator or Iustice of Peace in Our said Province to be administred vnto him by Our said Lieutenant or any two of Our Councell there who are heereby respectuely impowred & required to Administer the same accordingly And wee do also heereby Constitute appoint & Ordaine him the said Philip Calvert to be Our Principall Secretary of Our said Province of Maryland And to haue all such Priviledges & benefitts as belongeth to Our principall Secretary there And Wee do by these presents appoint Constitute & Ordaine the said Philip Calvert to be Our Principall Officer & Keeper of the Acts & proceedings of Vs & Our Lieutenant & Councell there for the time beeing And of & for the entring and Recording of All Grants by vs Or Our Heires to be made of any lands Or Offices within Our said Province of Maryland And for the Probates Entring & Rcording of Wills & Inventorys & Granting of Letters of Administracōn And for the entring & Recording of all other matters Acts & things which by any Instructions Lawes or Ordinances made or given or to be made or Given for or Concerneing Our said Province of Maryland shall or Ought by the Appointment of Vs or Our heires or by the Appointment of Our Lieutenant or other Cheife Governor there for the time beeing or Otherwise to be entred & recorded

p. 9 To Have and To Hould execute & enioy the said Office & Offices together with the Priviledges & benefitts aforesaid vnto him the said Philip Calvert vntill Wee or Our Heires shall signify Our or Theyr Pleasure to the Contrary and no longer Provided allways that he take in open Court in our said Province the Oath of the Secretary there before he act as Secretary

in Our said Province to be likewise Administred vnto him by Our said Lieutenant or any two of Our Councell there who are heereby respectively impowred & required to administer the same accordingly. Given vnder our hand & seale at armes the seaventh day of November in the five & Twentieth yeare of Our Dominion over the said Province of Maryland And in the yeare of Our Lord God 1656. Liber II. H.

Instructions Directed by the Right Hono^{ble} Cæcilius absolute Lord and Proprietary of the provinces of Maryland & Avalon Lord Baron of Baltemore &c: To his Lordships Lieutenant & the rest of his Lōps Councell of the said Province of Maryland for the time beeing. p. 5

Instructions
12^o Novembris 1656.

His Lordship wills & requires his said Lieut & Councell that they cause euery Sherriffe & Coroner of euery County in Maryland to giue good security for the iust & due performance of theyr Office respectively before they be admitted to Act as Sherriffes or Coroners there notwithstanding any Commission warrant or Instruction already obtained or w^{ch} heereafter may be obtained from his Lōp for the makeing of any such person Sherriffe or Coroner of any County there as aforesaid.

2. That his Lordships said Lieut do cause such proporcoṇs of land to be surwayd & assigned (except Royall mines) to such seuerall persons as followeth vntill his Lōp shall send a new greate seale thither (w^{ch} he will shortly doe) whereby the said lands may be granted vnder the same (viz)

To his Lordships Brother Philip Calvert Esq his secretary of the said Province of Maryland six thousand Acres to be erected into One or more Mannors & to be called by such name Or Names as his Lordships said brother shall thinke fitt.

To William Thomson one hundred Acres.

To Simpson two hundred Acres.

To euery servant that hath & shall serue out his time with any planter or Adventurer there & hath & shall approue himselfe faithfull to his Lordship fifty Acres.

Provided allways that none of the lands before mentioned be assigned in any place formerly disposed of by his Lōp or his Authority to any person or persons nor sett out or reserved for his Lordships owne vse; And provided that in the said assignem^{ts} the vsuall respectiue yearely rent of one shilling Sterling for euery fifty acres of all the said Lands & so proportionably for any greater quantity of land to be payd to his Lordship & his Heires for the same be reserved & payd p. 6

Liber H. H. respectively or the valeue thereof in such Comodities as His L^o or his heires or his or theyr Officer or Officers appointed from time to time to Collect & receauue the same shall accept in discharge thereof. And provided also that there be not aboue fifty pole of land layd out vpon any water side of euey fifty acres to be assigned as aforesaid & so proportionably for any greater quantity of land & the residue to be layd out within the land next adioyneing: w^{ch} proporcon also his L^o wills & requires his said Lieu^t & Councell to cause to be observed in in surveying & setting forth all other lands claimed by any person or persons by vertue of any of his L^os Con- dicōs of plantacōn or any other Warrant or Order heeretofore or w^{ch} heereafter may be obtained from his L^op notwithstanding particular mention be not made thereof in any such Warrant or Order, for all w^{ch} this shall be his said Lieutenants Warrant.

3. His Lordship doth heereby Authorise & require his L^os brother Philip Calvert Esq^r his principall Secretary of the said Province of Maryland to administer in open Court there the Oath of his L^os Lieutenant of the said Province to Cap: Iosias Fendall his Lordships present Lieutenant there.

Given vnder his L^ops hand & lesser seale at
Armes the 12th of November 1656.

C: Baltimore

P. R. O.
Domestic
Interregnum.
Vol. 105,
p. 581

Order of the Councell of State

Wensday 17th December 1656.

Upon reading a certificate from the Committee of Trade in pursuance of the Councell's order of 31. July last, whereby it was referred unto them, to consider of the petitions of Richard Bennet and Samuell Mathews, Agents for Virginia, and the rest plantations in the Bay of Chesapiake, with the Representation of the Governor, Councell and burgesses of the Grand assembly in Virginia, and a report from the Lord Com^r Whitlock and the Lord Com^r Widderington, upon the petition of Cecilius Lord Baltimore made to the Councell in pursuance of a reference from his Highness, Ordered that the sayd certificate, and that whole matter, be referred to the Committee of the Councell for foreigne plantations, who are to speake therein with the parties, and to report to the Councell, what they shall conceive fitt to be done upon the whole business; as also, to consider of what was now proposed, by the Lord Deputy and the Lord Deputy is added to the Committee.

Petition of Cecil Lord Baltimore, and the Adventurers
of Maryland to the Lord Protector
22. January 1656.

P. R. O.
Domestic
Interregnum.
Vol. 150,
No. 433.

ref. Cecill Lord Baltimore and Adventurers of Maryland

Complaine of Captain Richard Bennet and Captain Clayborne for injuries done in Maryland and killing and imprisoning divers of their men shooting 4 to death in cold blood, plundering the planters &c. Pray restitution to their righte, and his officers to ther places, and those complained of secured and brought to answer.

22. Jan. under a particular reference from his H.

Petition of Richard Bennet and Col: Samuel Mathews
to the Lord Protector
22. January 1656.

No. 487.

Richard Bennet and Colonel Samuel Mathews
not ref.

Business of Virginia referred to the Committee for plantations. Nothing done. A reference obtained by Lord Baltimore to Lords Commissioners Whitelock and Widdrington. Pray delivery of the papers that they may make their defence.

22. Jan. papers to be delivered.

Anno 1657.

Liber H. H.
P. 9

Att a Councell held at } Present { The Lieutenant
St Marys 8^o Iunij } and
M^r Secretary

The Governor declared his resolution to depart this Province & therefore, (to the intent Justice might heere be duly administred in his absence) did Nominate Luke Barber Esq. his deputy Lieutenant & signed his Commission in the Words Following.

Commission for the Deputy Lieut Mr Luke Barber.
Iosias Fendall Lieutenant & Cheife Govern^r
of the Province of Maryland To all the Inhabitants and People of the said Province & all others whom these presents shall or may concerne Greeteing.
Whereas the Lord Proprietary by Commission beareing date the tenth of Iuly in the five & twentieth yeare of his dominion hath Given Granted & Confirmed vnto mee the Cheife Government of this his said Province of Maryland in as large & ample manner to all intents & purposes as it was held & enjoyed by Captaine William Stone. And Whereas his said Lordshippe by Commission beareing date the sixt day of August in the seauenteenth yeare of his Dominion did grant vnto the said

Liber H. H. Capitaine William Stone (in case of Death or absence out of the Province) Power to Nominate Elect & appoint any other person of the Councell in his Place Knowe Yee therefore that I for divers good Causes me there vnto moveing & being confident of the Jndustry Integrity & fidelity of M^r Luke Barber to his said Lordship Haue Nominated constituted and appointed and Doe by these presents Nominate Constitute & appoint the said Luke Barber my deputy Lieutenant of this Province (Reserveing vnto myselſe all benefitts allowed me by his said Lordship) To Have and To Hould the said Office vntill such time as J returne againe into this Province or that the Lord Proprietary or his Heires signify theyr pleasure to the Contrary Provided allways that the said Luke Barber grant no Warrants to any person or persons for the Survey of any lands but vpon Certificate from the Secretary of State of this Province, of Rights duly entred in his Office for the same, Strictly Chargeing & requireing all persons to yeald all due obedience to him the said Luke Barber as my Deputy as they will answer the Contrary att theyr Perrill. Given Vnder my hand and seale at S^t Marys this 18th day of June Anno Dñi 1657.

Iosias Fendall.

P. R. O.
Domestic
Interregnum.
Vol. 151,
No. 33.

1657. August ?

Proposalls for transporting Irish to Maryland.
respited.

Liber II. H.
p. 10

Februarij 26^o On Friday the 26th of February returned into this Province Iosias Fendall Lieutenant of the same & recalled his Former deputation to Luke Barber.

[Agreement between the Proprietary and Commissioners.]

| | | |
|---|-------------|---|
| At a Councell held at S ^t Marys 27 ^o Februarij | } Present { | The Lieutenant. M ^r Secretary. Cap: W ^m Stone |
|---|-------------|---|

The Lieutenat published the Articles of agreement betweene the Lord Proprietary of this Province & Richard Bennett Esq w^{ch} are as Followeth. Viz

Whereas there hase bin of late viz in the yeare 1652 & since som Controversies betweene the Right Hon^{ble} Cæcilius Lord Baltemore Lord & Proprietary of the Province of Maryland & Richard Bennett Esq & other People in Maryland nowe or late in opposiçōn to his Lōps Government of the said Province vpon w^{ch} haue vnhappy followed much bloudshed & greate distempers there endangering the Vtter ruine of that

Plantacōn if not timely prevented And whereas vpon com-
plaint made thereof by the said Lord Baltemore the matter Liber H. II.
was by his Highnesse the Lord Protector refferred first to the
Lords Com^{rs} Whitlocke & Widdrington Who's report thereof
was afterward referred by the Councell to the Com^{tee} for
Trade who made theyr report also there vpon to his High-
nesse & Councell but they by reason of theyr greate affaires
haueing not as yett leasure to consider of the said report the
same remaines yett vndetermined & in the meane time the
inhabitants of the said Province remaine in a very sad dis-
tracted & vnsetled condicōn by reason of the said differences
toucheing the sd Govern^t there Therefore the said Lord Balte-
more vpon a treaty with the sd Richard Bennett & Coll:
Samuell Mathews occasioned by the freindly endeavours of
Edward Diggs Esq^r about the composure of the s^d differences
& in pursuance of the said report of the said Committe For
Trade dated 16th of September 1656 hath for the good of the p. 11
inhabitants of the said Province condescended & is willing to
do as followeth. viz In case the said People in opposicōn to his
Lō^{ps} Government there as aforesaid shall forthwith vpon
Notice heereof from his Lō^{ps} Govern^r or Secretary there for the
time beeing cease & forbear for the future from Executeing
any act or power pertaineing to Government & administracōn
of Justice within the said Province And shall deliver vp to his
Lō^{ps} said Govern^r or Secretary aforesaid all records of the said
Province now in theyr power. And also his Lō^{ps} former Greate
Seale of the said Province if it be to be found or procured by
them And shall for the future giue all due obedience & sub-
mission to his Lō^{ps} Government there according to his Patent
of the said Province that then his Lordship doth Promise

1. Imprimis that no offences or differences which haue arisen
in Maryland vpon & since the said Controversies there shall be
questioned by his Lō^{ps} Jurisdicōn there in the said Province
but shall be left to be determined by such ways & meanes as
His Highnesse & the Councell shall direct.

2. Item that the said People in opposicōn as aforesaid shall
haue Patents from his Lō^p for such land in the said Province
as they can claime due vnto them by his said Lō^{ps} condicōns
of plantacon & in the same manner & with all the same rights
as they might haue had if the said Controversies & differences
had not hapned any former Order Instrucōn Proclamacōns or
any other thing proceeding from the said Lord Baltemore or
any deriueing any Authority from him to the contrary heereof
in any vise notwithstanding Provided that they & euery of
them respectively who shall desire the same doe sue out theyr
said Pattents for the said lands within Nine months after notice
heereof given them by his Lō^{ps} said Govern^r or Secretary

Liber H. II. there for the time beeing & that before they haue theyr Pattents theye take the Oath of fidelity there to his said Lordship with such alteracōn in itt as is mencōned in the said Report of the Committee for Trade And shall pay or satisfy his said Lordships Receivor Generall there for his said Lōps vse all arreares of rent due to his said Lōp from the time they first entred vpon the said Lands respectiuey And due Fees to his said Lōps Secretary Surveyr and other officers there as other inhabitants ought to doe & according to his said Lōps Condiçōns of Plantacōn for the s^d Province.

3. Item that such of the said People in opposiçōn as afore-said who shall desire to remove themselues or estate from Maryland shall haue free leaue & a yeares time so to doe.

p. 12 4. Lastly the Lord Baltemore doth promise that he will neuer giue his assent to the repeale of a lawe established heeretofore in Maryland by his Lordships Consent & mentioned in the said Report of the Com^{tee} for Trade whereby all persons professing to beleue in Jesus Christ haue freedon of Conscience there and doth Faithfully promise vpon his Honor to obserue and performe as much as in him Lyes the Particulars aboue mentioned. And his Lordship doth heereby Authorize & require his Lordships Governr & all other his Lordships officers there to giue assurance to the people of theyr due performance heereof. Jn witnesse whereof the said Lord Baltemore hath heerevnto sett his hand & seale the 30th day of November 1657.

Signed and sealed in the Presence of

C: Baltemore

Edward Diggs

Samuell Mathews

John Harris

Richard Chandler

A. Stanford

William Barrett

This is the Paper which was mentioned in my letter to Cap: W^m Fuller & being of the same date with this.

Ri: Bennett.

Vpon readeing of which the Lieutenant imediatly dispatched letters to Cap: William Fuller & M^r Richard Preston &c desiring them to give him M^r Secretary & Captaine Thomas Cornwaleys a meeteing at S^t Leonards Creeke in Patuxent River vpon 18th of March followeing in order to the Performance of Articles vt supra. w^{ch} they sent with the aforesaid letters.

| | | |
|--|-------------|--------------------------|
| At a Councell held at S ^t Leonards 18 ^o Martij | } Present { | The Lieutenant |
| | | M ^r Secretary |
| Cap: Thomas Cornwaleys | | |
| assistant | | |

Wind & weather not permitting Cap: Fuller & the rest to

com at the appointed time it was resolved that the Councell Liber H. II.
stay till saturday the 20th of March

Martij 20^{mo} Cap: William Fuller M^r Richard Preston M^r Edward
Lloyd M^r Thomas Mears, M^r Philip Thomas & M^r
Samuell Withers came to S^t Leonards in order to the perform-
ance of Articles & Surrender of the Government, butt the day
being farre spent & Sunday not fitt to treat of businesse all
further treaty was putt of till monday the 22th

Martij 22^{do} The Lieutenant read the Articles of Agreement
betweene the Right hon^{ble} the Lord Baltemore &
Richard Bennett Esq vt supra & demanded the Records, Greate
seale, & the whole Government to be resigned vp into his
hands, & in the Name of the Lord Proprietary promised a ratifi-
cation (of those Articles then present) vnder the Greate Seale
of the Province.

Wherevpon were Read his Lōpps Instructions as followeth
viz

Instructions directed by the Right Hono^{ble} Cæcilius
Absolute Lord & Proprietary of the Provinces of Mary-
land and Avalon Lord Baron of Baltemore &c: To his
Lordships Lieu^t and the rest of his Lordships Councell
of the said Province of Maryland for the time beeing.

C: Baltemore

P. 13

Instruct: 20th
Novembr 1657

Imprimis his Lordship doth heereby Authorize
will & require his Lieutenant of the said Province
of Maryland for the time beeing to discharge any one of his
Lō^{ps} Councell of the said Province, from beeing of his Lord-
ships Councell there who shall desire the same, And his Lō^r
doth also heereby Authorize him that he may with the advice
& approbacōn of any three of his Lō^{ps} Councell there for the
time being whereof his Lō^{ps} Brother Philip Calvert Esq to be
one discharge any person or persons nowe of his Councell in
that Province from being of his Lōpps Councell there who shall
refuse to Act as one of his Lōps Councell there or to giue
attendance at his Lō^{ps} Courts in that Province when they shall
be respectively therevnto required by his Lōps Lieutennant
there for the time being without a Just & lawfull excuse for
the same to be allowed and approved of by his Lō^{ps} said Lieu-
tenant & his Lō^{ps} said Brother Philip Calvert Esq^r any former
commission warrant or Instruction to the contrary heereof in
any wise notwithstanding.

2. Whereas his Lordship hath heerewith sent ouer a New
Greate seale of the said Province by Captaine Iosias Fendall
his Lō^{ps} Lieu^t of the said Province & hath Comitted the Custody
thereof to him the said Captaine Josias Fendall according to
his Lō^{ps} Comission to him for that purpose His Lō^r doth heere-

Liber H. H. by declare that his Lieutenant & Keeper of the said Greate seale for the time beeing shall haue power & Authority to passe Grants or Pattents in his L^os name vnder the same & in such forme as his L^o hath heeretofore appointed to any person or persons whatsoever as he shall thinke fitt of such lands in the said Province as are or shall be due to them respectively from his L^o by vertue of any of his Condicons of Plantacōn or any Commission Warrant Instruction or direction heeretofore Given or made by his L^o or heereafter to be obtained from him vnder his hand & seale at Armes for the same & to euery servant which hath or shall serve out his time with any adventurer or Planter fifty acres vnder the vsuall rent of one shilling sterling for euery fifty acres to be payd yearely to his L^o & his Heires which Grants or Pattents so to be passed after they shall be respectively attested by the subscriptions of his Lordships Lieutenant of the said Province and his L^os Secretary or in case of his the said Secretarys Death or absence out of the said Province of any two or more of his L^os Councell there for the time beeing on the Respective Grants or Pattents and after the Commission Warrant Instruction or direction vnder his L^os hand & seale at Armes for the passing thereof Respectively shall be duly recorded there his L^o doth heereby & Not Otherwise ratify & Confirme as his Acts & deeds w^{ch} shall bind his L^o & his heires accordingly on that behalfe although such person or Persons who shall haue any such grant or pattent passed vnto them as aforesaid of any lands due vnto them by vertue of any of his L^os Condicons of Plantacōn did not make theyr Claime nor passe theyr Pattents thereof in due time or haue since forfeited theyr right vnto the same any former Comission, Warrant, Order, Instructions or any other thing to the Contrary heereof in any wise notwithstanding. Provided

p. 14 allways that all & euery such person or persons respectively who shall haue any such Grant or Pattent passed vnto them do take the Oath of fidelity to his L^o & his Heires mencōned in his last Condicons of Plantacōn for that Province with such alteracōn in the said Oath as was agreed vnto by his Lordship & directed in the report of the Com^{te} for Trade dated the 16 of September 1656 concerneing that Province a Coppy of which Report attested by the Clarke of that Com^{te} his L^os sent into that Province togather with, his Instrucōns to his Lieu^t & Councell there dated 23th of October 1656 wherein the said Report is mencōned And Provided also that such person or persons who haue Acted or Abetted any thing against his L^os lawfull right & Jurisdicōn there do make & subscribe in the presence of his L^os Lieu^t & Principall Secretary of the said Province for the time being or one of them a submission of the forme heerevnto Annexed to remaine vpon record there or

such other submission as his L^os said Lieu^t and Secretary or Liber H. H.
either of them in the absence of the other out of the said Province shall thinke fitt before any such Grant or Pattent of any land in the Province be passed vnder his L^os Greate Seale there vnto them respectively as aforesaid. And Provided also that before any such person or Persons shall haue any such grant or pattent passed vnto them as aforesaid they do pay or satisfy his L^os Receauor Generall there for his Lordships vse all such arreares of rent not before satisfied or lawfully discharged as are or shall be due vnto his L^o for the Land w^{ch} shall be granted by any such Pattent from the time th^t by his L^os Condiçōns of Plantacōn or other Warrant for the passeing thereof, the said Pattent ought to haue bin passed, vntill the time of the passeing the said Pattents respectively.

3. That whereas his L^o did heeretofore send a Warrant for the Granting ten thousand acres of Land in the said Province to Edward Eltonhead Esq vpon certaine termes & Condiçōns of a certaine Number of persons to be transported by the said Edward Eltonhead within a certaine time w^{ch} time was Likewise by two declaracōns afterwards of his Lordships enlarged as by the Warrants and declaracōns relacōn being therevnto had may more at large appeare. And whereas neither his L^o nor the said Edward Eltonhead haue had as yett any Certaine Informacōn of the passing a Grant in Maryland vnder his L^os former Greate Seale of that Province of the said Land to the said Edward Eltonhead according to the said Warrant and declaracōn & that itt is doubtfull whether the said Originall Warrant & declaracōns be not lost & imbezild in the late troubles there therefore his L^o thought fitt to send heerewith as he nowe doth trew Copies vnder his L^os hand & lesser seale at Armes of the said Warrant & declaracōns And doth heereby Authorize Will & require his Lieu^t & Keeper of his Greate Seale of the said Province for the time beeing that in Case he find that there was not formerly a Grant or Pattent Passed of the said Proporcōn of land vnder the said former Greate Seale to the said Edward Eltonhead or that the said Grant or Pattent & Record thereof be lost & can not be found That then the said Lieu^t & Keeper of the said Greate Seale do p. 15
cause a Grant to be passed vnder his L^os Newe Greate Seale of the said Province to the said Edward Eltonhead & his Heires of the said Proporcōn of Land according to the true intent & meaneing of the said Warrant & declaracōns as aforesaid and in case he find a Record of a Pattent or Grant passed heeretofore vnder his L^os said former Great Seale there to the said Edward Eltonhead according to the true intent & meaneing of the said Warrant & Declaracons but that the Originall Pattent or Grant is lost & cannot be found to be sent to the said

Liber H. H. Edward Eltonhead, then his L^o Authorizes & requires his s^d Lieu^t & Keeper of his Greate Seale to cause an Exemplification to be forthwith made & passed vnder his said Lordships Newe Greate Seale of the said Grant or Pattent vpon Record there & to send the said Exemplification by the first opportunity to his L^o for the said Edward Eltonhead.

4. That his Lordship doth heereby Authorize his said Lieu^t of the said Province with the advice & approbacō of his Lo^{ps} said Brother to readmitt if he thinke fitt M^r Robert Clarke to be One of his Lōps Councell of the said Province to all intents & purposes whatsoever in as full & ample manner as formerly he was by his Lōps Comission for that purpose to him and also to add any other Person or persons inhabiteing the said Province not exceeding the number of six to be of his Lōps Councell there to all intents & Purposes ouer & aboue such as are allready or that shall heereafter be nominated & appointed by his L^o to be of his Lo^{ps} Councell there Provided that such person or persons so to be added to his Lōps Councell there as aforesaid do take the Oath of a Councillor there to his L^o before he or they do Act as one of his Lordships Councell there respectively.

5. That his Lordship doth heereby Authorize his Lieu^t of the said Province for the time beeing with the Approbacō of any three of his of his Lordships Councell there whereof his Lōps Principall Secretary for the time beeing to be allways one to make any Forreigner as he shall thinke fitt capeable of his Lōps Condicons of Plantacon there & to cause Grants or Patents of land there to be passed vnto any such person or Persons accordingly as if he she or they were of Brittish or Irish descent any former Commission Warrant or direction from his Lōp to the Contrary in any wise Notwithstanding.

6. Whereas his L^o hath in these Instructions & otherwise Authorized & appointed his Lieu^t of the said Province for the time beeing & in particular the aforesaid Captaine Iosias Fendall his Lordships present Lieu^t there to Act & do seuerall things with the advice & approbacō of his Lōps Brother Philip Calvert Esq^r Nowe In case the said Philip Calvert should dye or by absence out of the said Province or otherwise should be disappointed of Acting there accordingly His Lo^p doth heereby Authorize & appoint in euery such case the said Captaine Josias Fendall & euery other his Lōps Lieu^t of the of the said Province for the time beeing to Act & Doe the same things

p. 16 with the advice & approbation of Captaine Thomas Cornwaleys Esq^r in Liew & steed of the said Philip Calvert Esq^r which his Lordship hath by these Instructions or any other writeing vnder hand & seale Authorized & appointed or shall heereafter by any writing vnder his hand & seale authorize &

appoint to be Acted or don with the advice & approbacion of the said Philip Calvert Esq & that in case where any Grant or Pattent of Land is to be passed to his Lordships Lieu^t & Keeper of his Greate seale there for the time beeing by Vertue of his L^o^s Condicons of Plantacōn or any other Comission Warrant or Instruction vnder his L^o^s hand & seale for that Purpose his L^o^p doth heereby declare authorize & require his said Brother Philip Calvert Esq (and in case of his death or absence out of the said Province The said Captaine Thomas Cornwaleys) & two such others of his Lordships Councell there for the time being as he & our said Lieu^t shall appoint to Attest euery such Grant or Pattent to his L^o^s Lieutenant of the said Province & Keeper of his Greate Seale there for the time being as aforesaid by the subscriptions of theyr respective names on euery such respective Grant or Pattent before it shall be in force or bind his L^o^p or his heires as his act & Deed any thing in these instructions or in any other thing to the Contrary heereof in any wise Notwithstanding. Given vnder his L^o^s hand & Greater Seale att Armes the 20th day of November in the 26th yeare of his Lordships Dominion ouer the said Province of Maryland & in the yeare of Our Lord God 1657.

Liber H. II.

The forme of the submission abouemencōned.

I: A: B: doe promise & engage to submitt to the Authority of the Right Hon:^{ble} Cæcilius Lord Baltemore within this Province of Maryland according to his pattent of the said Province & to his Present Lieutennant & other Officers there by his Lordship appointed to whom I will be aydeing & assisisting & will not obey or assist any heere in opposicōn to them.

After the readeing of these Instructions Captaine William Fuller and the rest of the Commissioners Propounded diverse other Articles tending as they conceaued to the quiett & welfare of the Province, w^{ch} admitted of som debate viz

1. Jmp^s as to som words in the first Article viz that all ministers of Justice officers military &c. be indempnified on both sides.

Which words seemeing to admitt of a necessity of pardon, & consequently an implication of guilt in his Lordships Officers were at first scrupled but vpon Consideracon, that som of his L^o^s officers needed an indempnity, for breach of trust passed.

2. Next the Graunting of the Leavyes, & Fees in the second Article Which at last, considering the Maior Part of the people had mett though not by lawefull warrant in those

Liber H. H. Assemblys, & that the lord Proprietary is not bound to any one way of Calleing assemblys, or assenting to what by them is
 p. 17 don, & likewise considering that many alr the Govern: should pay acknowledging w^{ch} was declared by that the Article should in terminis.

3 Thirdly the layeing aside the oath of Fidelity w^{ch} being imposed by Act of Assembly, grounded of Plantacōn, & of common right due to any lord of not be vtterly waived; but only as to such persons resideing within the Province, and to stand in f to all persons else. To w^{ch} effect an article was drawne the further debate, & engrosment of the Articles was till the next morneing.

Martij 23^o The Councell & Com^{rs} mett & after som debate ordered Articles to be engrossed against next morneing.

Martij 24^o The Govern^r & Councell mett, & the Articles were read faire engrossed in parchment, to the Com^{rs} which being to the and Peace of all partys; Were by the Gouvernor & secre signed, & afterwards in the face of the People sealed as followeth.

p. 18 [The Arti- When these Articles were signed sealed, & delivered to the Com^{rs} they with Many others subcribed the engagement, & cles are print- delivered the record to Philip Calvert Secretary of State. ed in the Pro- Then was the Govern^{rs} Commission publikely read, & Pro- ceedings and claimed & writts Issued immediatly for an Assembly to be Acts of the Assembly, held at St Leonards 27^o Aprilis followeing. 1637/8-1664, p. 369.]

p. 19

Anno 1658.

At a Councell held at Wicocomoco 13^o Aprilis

Present { Iosias Fendall Esq L^t } Mr Tho: Gerard
 { Philip Calvert Esq Secr: } Mr Job Chandler
 { Cap: W^m Stone } Cap: John Price

Vpon Readeing his lordships of the 20th November last the Lieutenant with the approbacōn of Philip Calvert Esq Secretary according to his Lo^{ps} 4th instruction did readmitt m^r Robert Clarke to the place of a Councillor, & vpon his takeing the oath presently sate

Present { As before
 &
 { Mr Robert Clarke Survey^r Generall

Ordered

That it be propounded to the Assembly to appoint som fit persons to treat with the Government of Virginea concerneing the future stinting of Tobacco.



That for the benefitt of trade the Proposicōns of the London Merchants concerning Stores be propounded to the Assembly. Liber H. II.

That itt be propounded to the Assembly to make a lawe that the party cast in appeale shall pay trebble dammages, for the prevention of vexatious sutes.

That it be propounded also that the Counsellors in regard of theyr constant attendance & dayly expence be freed from Tax for themselves & ten pol as the Counsellors of Virginea are.

That a Commission be drawne vp for the keepeing of a Court, on the North side of Wicocomaco River, & that that part of the Province be erected into a County.

That a Proclamacōn forthwith be sett out enioyneing the takeing the oath of Fidelity by all persons who haue since the 24th of March last com into this Province, or shall hereafter com to inhabite heere, as followeth.

Proclamacon.

By the Lieutenant Generall

Procl: toucheing
the Oath of Fidel:

It being the vndoubted right of the Lord Proprietary of this Province of Maryland to dispose of all lands within this his Province when to whom and vpon what condicons he pleaseth, his L^o haueing in his goodnesse pleased to propound to all people in Generall, & in particular to a people then destitute of place to inhabite certaine Condicōns of Plantacōn beareing date at London 2^d of July 1649 w^{ch} Condicōns as to the Number of acres to be Granted to euery person his L^o for the good of the Colony in Generall thought fitt afterwards to reduce to a lesse number then formerly by his declaracōn beareing date 26 August 1651 & published to the Generall Assembly of this Province w^{ch} Condicōns of Plantacon with such alteracōn as aforesaid doe still remaine in force & no other The punctuall performance of them being the roote of euery mans right I haue thought fitt for the avoideing of future disputes (notwithstanding all past p. 20
condescendings to any persons then inhabiteing this Province whatsoeuer) to require all persons who haue since the 24th of March last past to this day or shall heere after com into this Province heere to inhabite to take notice of those his L^os condicons & declaracōn aforesaid, as the only title by which they can Clayme any lands heere & punctually to performe them as they expect to haue Grants of any the land so by them claymed within this his Lordships Province of Maryland And in Particular that heereafter there shall be no land Graunted to or for or in respect of any person or persons whatsoeuer who shall not within one month next after his or theyr arrivall into this

Liber H. H. Province make demand of the land so due to them & take the oath of Fidelity to the Lord Proprietary with such alteracōn in itt as is mentioned in the report made by the Committee for Trade to his Highnes the Lord Protector beareing date 16 of September 1656 and legally pursue the suing out of theyr Grants or Pattents within the time in the said Condições Prescribed as aforesaid. Given at S^t Marys 13th of Aprill in 26th yeare of his Lordships Dominion ouer this Province of Maryland Annoq Domini 1658.

Iosias Fendall.

At a Councell held at S^t Leonards 6^o Maij

| | | | |
|---------|--------------------|---------------------------------|------------------------------|
| Present | The Lieutenant | } M ^r Thomas Gerrard | |
| | The Secretary | | Cap: John Price |
| | Cap: William Stone | | M ^r Robert Clarke |

The Governor and Counsell tooke into Consideracōn the small number of his Lordships present counsell of state, & weighing the abilitys, & affectionate service don by M^r Baker Brookes & M^r Nathaniell Vtie in this last assemblye Called them to the board; & and according to his Lōp^s instructions of 20th of November 1657 the Govern^r with the approbacon of Philip Calvert Esq^r nominated and appointed them to be of his lō^ds Councell of state for this Province, who after disableing themselves, tooke the Oath and sate as Councellors.

Ordered

That the Commissions for the County Courts of Annarundell and Kent Countys be immediatly dispatched to the respetiue County's viz that for the Jsle of Kent by M^r Philip Connor and that For Annarundell by M^r Edward Lloyd. w^{ch} was don accordingly.

Ordered

Order for Trade That a licence to trade with the Indians be issued
Vtie to M^r Nathaniell Vtie accordin to & vpon such
Condições as in the Act in that case made is Provided.

Idem Pro Bate- That a licence to trade with the Indians be Jssued
man. to M^r Iohn Bateman according to & vpon such
Condicions as in the Act in that case made is provided.

Vtie: Lycence Cæcilus absolute Lord & Proprietary of the Pro-
vinces of Maryland and Avalon Lord Baron of Balte-

p. 21 more &c To &c wee reposeing speciall trust and confidence in the said Nathaniell Vtie & willing to comply with his request & desire heerein Doe heereby giue & graunt to him the said Nathaniell Vtie liberty lycence and Commission to trade with any the inhabitants of this Province for any Beaver fures or skins or any

other comoditys whatsoever, & to that end it shall be heereby lawfull for him the said Nathaniell Vtie to passe vpon or through any River or Creeke or other passage through any part of this Province to trade for such Comoditys with any Indian or Indians without this Province & to export the same from time to time as he the said Nathaniell Vtie shall thinke fitt & convenient. Provided that in case he the said Nathaniell Vtie shall buye or trade for any Corne from any such Indian or Indians as aforesaid he do not export the same out of this Province without Lycence first had & obtayned from our Lieutenant or other cheife Governor of this Province Provided also the said Nathaniell Vtie pay to the Lord Proprietary or his heyres the tenth in weight or value of all such Beaver so traded for either by himselfe or any other person intrusted by him and fullfill all such condicōns as are expressed in that Act concerneing trade with the Indians And wee do heereby Authorize & impower the said Nathaniell Vtie to take seise or surprize the person or persons Boats vessells or Trucke of any tradeing on the Easterne shoare aboute the River of Seaverne before they haue given Notice to him the said Nathaniell Vtye of leaue first had and obtained of Vs or Our heires or of our or theyr Lieutenant or cheife Governnor for the time being And we do heereby will and require the aforesaid Nathaniell Vtie in his Custody safely to keepe the persons Boates Vessells or trucke of any person so taken tradeing without haueing first made knowne theyr Commission to him vntill they shall be brought to a legall tryall before our Lieutenant or cheife Governor of this our Province for the time being Giuen vnder the Greate seale of our said Province of Maryland this 7th of May in the 26th yeare of our Dominion ouer the said Province Annoq Domini 1658 Wittnes our Right trusty & wellbeloued Josias Fendall Esq^r Our Lieutenant of the said Province

Josias Fendall

Bateman Lycence. The same for M^r John Bateman mutatis mutandis vsq^e ad Given vnder the Greate seale of our Province this 8th day of May in the 26 yeare of our Dominion ouer the said Province Annoq Domini 1658. Wittnes our Right Trusty and wellbeloued Iosias Fendall Esq^r Our Lieutenant of the said Province.

Josias Fendall.

| | | | | |
|--------------------------------|-----------|---|-----------------------|-------|
| At a Councell held at | } Present | { | The Lieutenant | p. 22 |
| Wicocomaco June 3 ^d | | | The Secretary | |
| | | | The Survayor Generall | |

Vpon readeing his Lordships Commission & assent annexed to certaine Lawes being 18 in number formerly assented vnto

Liber H. H. by the vpper & Lower house of the Generall assemblys of this Province held in Annis 1649 & 1650 w^{ch} Commission and assent beareth date 6^o Augusti 1650; the Counsell findeing that the said Commission was neuer as yett throughly executed, as to the publishing those lawes, vnto itt annexed vnder the Greate seale of this Province

Ordered

That the said Lawes be forthwith published vnder the greate seale according to his Lordships will & pleasure in the said Commission Expressed.

[Organisation of the Militia.]

Then was taken into consideracōn the settlement of the militia of the Province, & certaine Jastructions were drawne vp to be sent to the Commanders of the seuerall divisions, & Commissions ordered to be drawne for them also viz

To Captaine William Evans } of all forces from Poplar hill ex-
Lieutenant & John Iarbo } clusiuely to Wicocomaco River.

The said Captaine & Lieutenant are to chuse
theyr owne ensigne.

To Captaine Richard Bankes } from Poplar Hill inclusiuely to
Lieutenant w^m Kennedy } S^t Georges river.

The said Captaine & Lieutenant to chuse
their owne ensigne.

To Captaine Henry Hooper }
Lieutenant Henry Keene } from George Reades on the
Ensigne George Reade } South side of Patuxent River
to Cedar Point & from S^t Leon-
ards Creeke on the North side
to the Coves.

To Captaine Thomas Brooke } from George Reades on the
Lieutenant Iohn Bogue } South side & S^t Leonards
Creeke on the North side to
the head of Patuxent River.

The said Captaine & Lieutenant are to chuse
theyr owne ensigne.

Instructions directed by the Governor and Councill Liber II. H.
to the seuerall Captaines of the respective trained
Bands to be sent with theyr respective Commissions

Instructions Trained
Bands

Imprimis that they cause a perfect list to be taken of all persons able to beare Armes within theyr respective divisions that is of all men betweene 16 and 60 yeares of Age which List they are to returne to the Governor or Secretary with all convenient speed. p. 33

2 That out of that List they do select such persons to be of theyr constant Trayned Band as they shall iudge fittest both for theyr Ability of Body, Estate, & Courage in which Choice they are not to take the Person of any of his Lordships Counsellors of state nor Iustices of Peace.

3. That they take Care that theyr said Companys be duly mustered once euery month, & for the more certaine & constant performance of that duty that they do appoint sett times and places for the next Muster before they depart from euery meeteing to Trayne and Exercise.

4 That they take an exact vieue of euery mans Armes that they be well fixed, & that they endeavour to make euery householder provide himselfe speedily with Armes & Ammunition according to a former Act of Assembly viz 2^{ld} of powder and 5^{ld} of shott & one good Gun well fixed for euery man able to beare Armes in his house.

5 That they take speciall care that all persons by them enlisted do make theyr constant personall appearance at euery muster and that vnder the Paines & forfeitures of 100^{ld} of Tob for the first default, of 200 for the second, & 300 for the 3^d default And if any person shall yett after such fine & forfeitures imposed be further Negligent or refractory that they certifie the Governor & Councill.

6 That they do not proceed rashly to impose a forfeiture vpon any one but first see whether he can alleadge any lawefull impediment, in Judgeing of w^{ch} they are to take Care they be not to remisse and Indulgent allways remembring the exactnesse of Military discipline to be the security of euery mans particular welfare & place.

7 That after a fine or forfeiture imposed for default they immediatly certify the Sherriffe who is by Order of the Councill to Leavy the same if refused to be payd, & that they do employ the said Forfeiture to the purchaseing Drums & Collours for the Company, & after such Provision made, to make the Company Drinke at theyr meeteing to Muster, in w^{ch} they are strictly charged as well to avoid all Excesse themselves as seuerely to punish it in others of theyr Company Committed to theyr charge.

Liber H. H.

Commission Cap:
William Evans

Iosias Fendall Esq^r Captaine Generall of all the forces within this Province of Maryland vnder the Right Honorable Cæcilius absolute lord & proprietary of the same To Captaine William Evans Greeeting According to the power to me by his said Lordship Committed and vpon the speciall trust and confidence I haue in your fidelity circumspection courage and good conduct I doe heereby constitute ordaine & appoint you Captaine vnder me of all the forces, betweene Wicocomaco River and Poplar Hill exclusively, them to muster Exercise and traine vp in the art of Warre & discipline military & in all things to do as any
 p. 24 Captaine of a Company of foote may or of right ought to do to the resistance of all ennimys suppression of all mutinys insolencys insurrections & rebellions whatsoeuer according to such orders and directions as you shall from time to time receaue from me and to that end to list such & so many of the inhabitants within the precincts aforesaid as you shall thinke fitt, and them when and as often as you shall thinke convenient to muster and traine so that they may be in a readynesse as occasion shall require to attend my further Comands with fitting armes and Ammunicōn for the purpose aforesaid. To haue and to hould the said office & Command till the Lord Proprietary or his heires or his or theyr Lieutenat cheife Governor or Captaine Generall for the time beeing shall signify his or theyr pleasure to the Contrary And all persons Whatsoeuer are heereby Strictly Charged and required to yeald all due obedience to you the said Captaine Evans in all things appertaining to the Command & office heereby conferred on you as they will answer the contrary at theyr perill Given vnder my hand & seale this 15th day of June in the 26th yeare of his 15th dominion ouer this Province Annoq Domini 1658.

Iosias Fendall.

Brooke
Hooper.

The same mutatis Mutandis For Captaine Thomas Brooke Likewise for Captaine Henry Hooper.

Commission Lieut:
John Jarbo.

Iosias Fendall Esq Captaine Generall of all the forces within this Province of Maryland vnder the Right Hon^{ble} Cæcilius Absolute Lord & Proprietary of the same To Lieutenant Iohn Iarbo Greeeting According to the power to me by his said Lordship Committed & vpon the speciall trust & confidence I haue in your fidelity circumspection courage & good conduct I doe heereby constitute ordaine & appoint you Lieutenant vnder Captaine William Evans of the foote company by him to be raised betweene Wicocomaco River & Poplar hill exclusively, them to Muster Exercise & traine vp in the Art of Warre & discipline military

& in all things to do as any Lieutenant of a Company of foote may or of right ought to doe to the resistance of all Enniny's suppression of all mutinys insolencys & rebellions whatsoever according to such Orders and directions as you shall from time to time receave from me or your said Captaine To Have & To Hould the said office & Command till the Lord Proprietary or his Heires or his or theyr Lieutenant & cheife Governor or Captaine Generall for the time beeing shall signifye his or theyr pleasure to the contrary And all persons whatsoever are heereby required & strictly commanded to yeald all due obedience to you the said Lieutenant Iarbo in all things appertaining to the Command and office heereby conferred on you as they will answer the contrary at theyr Perills. Liber II. H.

Given vnder my hand & seale this 15th day of June in the 26 yeare of his Lordships Dominion over this Province An^oq^e 1658

Josias Fendall

Bogue
Keene.

The same Mutatis Mutandis for Lieutenant John P. 25
Bogue Likewise for Lieutenant Henry Keene

At a Counsell held at Patuxent } Present { The Governor
eighth of July } { The Secretary
{ M^r Baker Brookes

Vpon an alarme receaued from the Indians the Governor and counsell toke into theyr consideracōn the present vnsettled condicōn of the militia and the necessity of a speedy settlement not only in regard of the Indians who by the English were of late disgusted, but also of the increase of the Quakers whos denyall of subscribeing the engagement, nowe established by act of assembly gives cause sufficient of Jealousies and

Ordered

Captaine John
Odbur, Order &
Commission

That in regard Captaine Henry Hooper was out of the Province, and the time of his returne vncertaine, Captaine John Odbur should command all the forces from S^t Leonards Creeke to the Coves on the north side of Patuxent River, & from George Reades to Cedar Point on the South side, and that Lieut^{nt} Henry Keene be his Lieutenant.

Iosias Fendall Esq Captaine Generall of all the forces &c
To Captaine Iohn Odbur Greeeting vt in Commission Cap:
W^m Evans fol 23 mutatis mutandis

Commission Lieutenant Henry Keene, idem mutatis mutan-
dis with the Commission to Lieutenant John Iarbo fol: 24

Liber H. H.

[Arrest of Thurston and Cole.]

Informacon agt Tho:
Thurston & Iosias
Cole & order

Vpon Informacōn made that Thomas Thurston and Iosias Cole had remained within this Province aboue one month without notice Given to the Governor or Secretary or takeing the oath of fidelity contrary to the tenor of a Proclamacōn beareing date 13th of Aprill last, & vpon further consideracōn of a presumptuous letter written by the Said Thurston to the Governor & Assembly diswadeing him & them from imposeing the engagement, by the articles of 24th of March last agreed vpon to be taken for the establishment of Peace & vnity amongst the inhabitants of this Province, & likewise that all those who pretended to be of their church or Judgement did refuse to subscribe the said engagement notwithstanding the late Act of Assembly provided in that case, and also that diverse who before had subscribed the engagement nowe vpon their Joyneing them selues to the said Thurston & Cole did renounce & disowne the said engagement and all benefitt that by their subscriptions did acrowe to them

Present only The Governor and Secretary

The Councell considering that these contempts of Acts of Assembly, breach of Articles, & disobedience to Proclamacōns could not but tend to the embroileing of this Province in further troubles Ordered That a warrant should Issue for the apprehending the said Thurston and Cole to answer their misdemeanours.

Warrant to the Sherriffes to bring Thurston & Cole before the Councell

| | | | |
|-------|-----------------------------------|-----------|---------------------------------|
| p. 26 | At a Councell held at Annarundell | } Present | The Governor |
| | the 12 th Julij | | The Secretary |
| | | | M ^r Nathaniell Vtice |

The Councell toke into debate the settlement of the Court for the County of Ann arundell & the defects in the former Commission. And Ordered That William Burges Thomas Meares Robert Burle Thomas Todde Roger Grosse Thomas Howell Richard Wells. Richard Ewen John Brewer Anthony Salway & Richard Woolman Gent should be Com^{rs} for the said County & that they should by the Sherriffe be summoned to appeare on 22th Instant at the house of M^r Edward LLoyd to take the oath of Commissioners & Justices of the Peace; and that the 23th Instant should be the first court day.

Warrant issued vpon this Order to John Norwood Sherriffe to summon the said Persons & give notice of the Court.

Then was taken into Consideracōn the further settlement of militia and Resolved that for the Present the forces of this Province should be divided into two Regiments the one consisting of all the forces in Patowmecke & Patuxent Rivers the other of all the forces from the Coves vp to the seaven mountaines, and the Jsle of Kent. The first of w^{ch} the Governor would command himselfe the other should be Commanded by M^r Nathaniell Vtie. & Liber II. II.

Ordered

Colonell Nathaniell Vtie That a Commission be drawne for Coll: Nathaniell Vtie to Command all the forces betweene the Coves of Patuxent River & the seaven Mountaines, & that he Command as his owne Company all the forces from the head of Seaverne River on the northside thereof to the seaven Mountaines.

Cap: Lt Jo: Cumber That a Commission be drawne for John Cumber to be his Captaine Lieutenant. And that they chuse theyr ensigne

Maior Ri: Ewens That a Commission be drawne for Richard Ewen to Command as Maior vnder Coll: Nathaniell Vtie & that he Command as his owne Company all the forces from the Southside of South River vp to the head thereof and M^r Anthony Salways house in the Herring Creeke Inclusively

Lt Alex: Gourdon. That a Comission be drawne for Alexander Gourdon to be his Lieutenant: that they chuse theyr ensigne.

Cap: Tho: Howell That a Commission be drawne to Captaine Thomas Howell to Command all the forces on the southside of Seaverne River vp to the head thereof & the north side of South River vp to the head thereof.

Lt John Collier. That a Commission be drawne for John Collier to be his Lieutenant. That they Chuse theyr Ensigne.

Cap: Tho: Bradnocke That a Comission be drawne for Thomas Bradnocke to comand all the forces on the Jsle of Kent

Lt Tho: Wetherell That Thomas Wetherell be his Lieutenant. that they chuse theyr ensigne.

At a Councell held 16^o Julij }
vpon the Jsle of Kent } Present The Governor
the Secretary
Col: Nathaniell Vtie.

P. 27

Vpon informacōn Given that Thomas Thurston was Prisoner but that Iosias Cole was at Annarundell seduceing the People

Liber H. H. & diswadeing the people from takeing the engagement according to the Articles of the Surrender of Govern: 24 of March last & contrary to the Proclamacōn 13^o Aprilis, & the Act of Assembly 1650 for takeing the Oath of Fidelity.

Ordered

That be apprehended & brought before the Govern^r & Councill.

Warrant to the Sherriffe of Annarundell to take the body of Josias Cole & him in safe Custody keepe vt in Order without Baile or Mainprise

In pursuance of an Order of the Councill of the 12th of July last the Commissions were drawne for the Comanders of the militia viz

Iosias Fendall Esq Captaine Generall of all the forces within this Province of Maryland vnder the right Honble Cæcilius Absolute Lord & Proprietary of the same To Colonell Nathaniell Vtie greeting According to the power to me by his said Lordship Comitted & vpon the speciaall trust & confidence I haue in your fidelity circumspection courage & good conduct I do heereby constitute ordaine & appoint you Colonell & comander in cheife vnder me of all the forces to be raised betweene the Coues of Patuxent River & the seaven mountaines as also vpon the Jle of Kent them to see mustered exercised & trained vp in the art of Warre & discipline Military And in all things to do as any Colonell of a regiment of foote may or of right ought to do to the resistance of all Ennimys suppression of all mutinys insolencys & rebellions whatsoever according to such orders & directions as you shall from time to time receaue from me And I do further Authorize and appoint you to enlist for your owne Company such and so many of the inhabitants on the north side of seaverne River from the head thereof to the seaven Mountaines as you shall thinke fitt & them when and as often as you shall thinke convenient to muster and traine vp so that they may be in a readynes as occasion shall require to attend my further Commands with fitting armes and ammunicon for the purpose aforesaid To haue & to hould the said Office & command till the Lord Proprietary or his Heires Or his or theyr Lieutenant Cheife Governor or Captaine Generall for the time being shall signify his or theyr pleasure to the Contrary And all persons Whatsoever are heereby strictly comanded and required to yeald all due obedience to you the said Colonell Nathaniell Vtie in all things appertaineing to the command and office

p. 28 heereby Conferred on you as they will answer the Contrary

att theyr Perill Given vnder my hand and seale this 20th day of July in the 27th yeare of his Lordships Dominion over this Province Annoq Dñi 1658. Liber H. II.

Josias Fendall

Cap: Lieutenant John Comber. Commission to Captaine Lieutenant John Cumber is the same mutatis mutandis with that of Lieut John Jarbo fol: 24 dated as that of his Colonell.

Maior Ri: Ewen. Commission to Maior Richard Ewens is the same mutatis mutandis with that of his Colonell dated eodem die.

Lieut Alex: Gordon. Comission to Lieu^t Alexander Gordon is the same mutatis mutandis with that of Lieut Jo: Jarbos dated as his Maiors.

Cap: Tho Howell. Commission to Cap: Thomas Howell the same mutatis mutandis with that of Cap: William Evans fol: 23, dated 20th July

Lieut Jo: Collier Commission to Lieu^t Jo: Collier vt in Jarbos Commission mutatis mutandis dated as his Capitaines

Cap: Tho: Bradnocke Comission to Cap: Thomas Bradnocke the same mutatis mutandis as the Commission to Cap: W^m Evans dated 20 July

Lieut Tho: Wetherell Commission to Lieu^t Tho: Wetherell the same mutatis mutandis as Lieu^t Jo: Jarbos, dated 20th July

| | | |
|--|-----------|----------------------|
| At a Councell held 22 ^o Julij | } Present | The Governor |
| at Annarundell | | The Secretary |
| | | Col: Nathaniell Vtie |

Warrant issued to bring the body of Thomas Thurston to M^r Henry Courseys by 25th of July directed to the sherriffe of Caluert County or any other who should haue the said Thurston in Custody.

The Sherriffe of Annarundell made retorne of his summons according to the Order of the 12 of July last and the persons all appeared.

Then was the oath of Commissioner & Justice of Peace tendred vnto them all, & taken vpon the holy Evangelists by all but William Burges & Thomas Meares who pretended it was in no case lawfull to sweare, whos plea was by the board disallowed: and Maior Richard Ewen who in regard of his military employment desired to be excused, and his excuse was admitted.

Liber H. H.

Ordered

That Cap: Thomas Besson Cap: Thomas Howell & M^r Thomas Taylor be added to the Commissioners in stead of William Burges Thomas Mears, & Maior Richard Ewens.

These Gentlemen being sworne the Commission was imediatly filled vp & signed by the Governor

Ordered that

Josias Cole be by the sherriffe brought to the County Court to morrowe morneing.

p. 29 At a Councell held 23^o Julij } The Governor
at Annarundell } Present The Secretary
Col: Nathaniell Vtie

This morneing was sworne Of his Lordship Councell M^r Edward Lloyd and from the Councell went to assist the Governor at the County Court.

After the Court was ended the Councell mett againe and there being then Present

The Governor } Coll: Nathaniell Vtie
The Secretary } M^r Edward Lloyd.

Toke into consideracōn the insolent behaviour of som people called Quakers who at the Court, in contempt of an order then made & proclaimed, would presumptuously stand Covered, and not only so, but also refused to subscribe the engagement notwithstanding the Act of Assembly in that case provided alleadging they were to be governed by Gods lawe and the light within them & not by mans lawe and vpon full debate finding that this theyr refusall of the engagement was a breach of the Articles of the 24th of March last, and that theyr principles tended to the destruction of all Government.

Ordered

That all persons whatsoever that were resideing within this Province on 24th of March 1657 should take & subscribe the said engagement by the 20th of August next or else depart the Province by the 25th of March followeing vpon paine due to Rebellls & Traitors if found within this Province after the said 25th of March, & that a Proclamacōn be forthwith drawne to this effect.

Proclamation

By the Lieutenant & Governor of Maryland.

Whereas vpon the Surrender of the Government to me his L^os Lieutenant on the 24th of March last past amongst other

things it was then agreed that the Oath of fidelity should not be pressed vpon the inhabitants then resideing within this Province but that in place and stead thereof an engagement should be taken in Manner and forme as in those Articles (relation vnto them being had) more at large appeareth And whereas by Act of this last Generall Assembly the said Articles are confirmed & the said engagement by a Lawe commanded to be taken To the end the said Articles may be inviolably observed and that all Jealousies and feares be removed These are in the Lord Proprietarys name strictly to charge & Command all persons whatsoeuer to make theyr repaire to the Clarkes of the respectiue County Courts at or before the 20th day of August next ensueing to make theyr subscriptions to the said engagement or else that they provide themselues to depart this Province by the 25th day of March next and to declare that all persons who shall refuse to subscribe the engagement within the time before limited and shall be found in any part of this Province after the 25th day of March aforesaid shall be proceeded against as Rebellis & traitors Given vnder my hand this 23th of July 1658

Liber H. H.

p. 30

Josias Fendall

| | | |
|--|-----------|-------------------------------|
| At at Councell held 25 ^o Julij at Patuxent | } Present | The Governor The Secretary |
|--|-----------|-------------------------------|

According to the Warrant bearing date 22th Instant Thomas Thurston was brought before the Governor, & the said Thurston being desirous to depart the Province the Govern^r Ordered this followeing Warrant to be drawne Whereas Thomas Thurston by himselfe & freinds hath desired of me that he may passe vp to Annarundell, from whence he hath ingadged himselfe to depart this Province by monday next being the second day of August, vntill whos departing out of this Province Josias Cole is to remaine as by Order of Court Provided These are therefore in the Lord Proprietarys name to Will & require you not to molest the said Thomas Thurston during the time limited for his stay and so soone as he shall signify to you his intention presently to depart that you sett at liberty the said Josias Cole Provided that if they or either of them shall be found within this Province after the aforesaid second day of August (vnlesse made vnable to depart by sicknes) they or either of them be apprehended and proceeded against according to lawe in theyr case provided Given Vnder my hand at Patuxent this 25th day of July 1658.

Josias Fendall.

To Colonell Nathaniell Vtie
Mr Edward Lloyd
Mr Samuell Withers

Or any other the Commissioners for the County of

Liber H. H.

| | | | | |
|--|---|---------|---|--|
| At a Councell held 5 ^o Octobris at S ^t Leonards | } | Present | { | The Governor The Secretary Cap: W ^m Stone M ^r Job Chandler Coll: Nathan: Vtie. |
|--|---|---------|---|--|

An informacōn was Presented by Richard Smith Gent: his Lordships Attorney Generall against Thomas Gerrard Esq one of his Lordships Councell.

P. 31 Wherevpon his Lordships letter of 21th of November 1657 by which the Governor & Secretary were impoured (as they conceived) to appoint an Attorney Generall till further Order from his Lordship was produced. And it was mooved by the said Gerrard to haue the Opinion of the Board whether the power Comitted to the Governor & Secretary by the said Letter were good or not.

And it was Resolved by the whole board in the affirmative. And Ordered that that Clause concerning the Power of appointing an Attorney Generall in the said letter Contained be putt vpon Record in the Councell booke. Which Clause is as followeth. (viz)

For what you proposed toucheing the Appointing an Attorney Generall; the Governor and you may doe therein what you shall see Needfull vntill another be appointed by me.

The letter is superscribed To my most affectionate loving brother Philip Calvert Esq in Maryland. Subscribed Your very affectionate loving brother C: Baltemore. Dated. London 21^o Novemb^r 1657.

Then was Read the Informacōn against M^r Gerrard viz

[Charges against T. Gerrard.]

To the Hon.^{ble} the Govern^r. & Councell

The Informacōn of Richard Smith his Lordships Attorney Generall

Humbly sheweth.

That Whereas all persons of his Lordships Councell are by Oath bound the debates of the said Councell to keepe Secrett to the end the intentions & endeavours of his Lordship & them his faithfull Councillors & the Instructions to them by his Lordship directed for the good, peace, & quiett of this his Lordships Country & people be not frustrated to the damage of the said People and dishonor of his Lordship Yet so it is that Thomas Gerrard Esq of S^t Clements Mannor in the County of S^t Marys not haueing the feare of God before his Eyes nor respecting his Oath so solemnly taken nor yett tendering the

good of the People ouer whome he was placed as a minister of Justice hath falsely & maliciously and against the Oath of Councillor of state within this Province by him taken the Private debates of the Councell disclosed viz at M^r Robert Syles house at or about the beginning of May last that it was at the councell Resolued to make M^r Richard Preston one of his Lordships Councillors hath before many persons affirmed & as a debate of the Councell disclosed contrary to his duty, faith, & Oath for secresy solemnly taken. Liber II. II.

And whereas the disafection of the People to theyr Governors, in all places & in particular in this Province hath bin euer found pernicious and destructive to the Peace & wellfare of the People the s^d Gerrard (Aymeing at his owne Greatenes w^{ch} in vnsettled times he might vphould when by the sad distractions of this Province no one Party could for the endeauours of the other such factious spiritts sufficiently controule) false & scandalous speeches & Reports hath cast abroad tending to Avert & alienate the minds of his lordships best freinds from his Lordships Governor & consequently Govern^t heere (since without officers no Govern^t can stand) Insinuateing Cunningly vnto the People (viz at or about the beginning of May last at M^r Robert Syle aforesaid) that the Governor would yeald vnto any thing (Howe preiudiciall soeuer to that Party that had as freinds asserted his lordships Just Rights) requested by the People at Annarundell then & there sayeing the Governor will giue them any thing or words to that effect. Which words so full of Mallice, Cunning & Covertly Vttered to sett our wounds euen then scarcely healed fresh on bleeding & to embroile the Country in worse & more dangerous distempers can not by any interpretacōn (nowe to be putt vpon them) be rendred other then what they were viz mutinous & seditious & tending to the disherison of his Lordship & his Heires since they are well & truly interpreted at another time by him selfe Sayeing what cares Captaine Fendall what he giues away since there was neuer Governor yett but had halfe the Rents fines & forfeitures Insinuateing thereby a Carelesnes in his Lordships Governor of the Just Rights of all persons in Respect of his owne Gaine & further falsely & maliciously suggesting that the said Captaine Fendall cared not what he did to embroile the country since he had nothing to loose to the vniust scandall of the said Captaine Fendall Governor of this Province & damage & dishonor of his Lordship. p. 32

Neither hath his malicious & scandalous tongue reached at his Lordships Lieutenant only & in him at his Lordships Jurisdiction & Government, but well knoweing the affections of the People not easily to be alienated by the endeauours of one man he hath what in him lay endeauoured to destroy the

Liber H. H. Reputacōn of the whole councell calleing them Rogues sayeing he would not sitt with such Rogues & in particular falsely Chargeing Captaine William Stone M^r Job Chandler & Doctor Luke Barber (three persons of his Lordships Councell eminent for theyr fidelitys & sufferings in his Lordships behalfe with secrett compliance with his Lordships Opposers then (viz M^r Richard Bennett) to the vniust scandall of his lordships said Councillors & his Lordships vnspeakeable damage in alienating the minds of his lordships said freinds & thereby hindering the vnwearyed endeauours of his Lordships said Governor & Councell for the peace & settlement of this distracted Province so absolutely necessary for the peace & welfare of euery private person heere inhabiteing.

And his Lordships said Attorney further Humbly sheweth that whereas his Lordship out of his continuall watchfulnes for the good & welfare of this his Province & the People therein Resideing to the end that Justice to all persons may be duly administred & peace & quiett constantly maintained and to the honor of God this Province In all things Piously Governed hath by many his letters & instructions and in Particular by his declaracōn of the 26 of August 1651 required his Councillors
 P. 33 to give theyr due attendance on his Lieutenant at all Provinciaill Courts &c (as by the said declaracōn (Relation therevnto being had) more at large appeareth) And also that in case any of his Lordships Councillors shall in Drunkenes or other Scandalous or vitious manner of liveing misbehaue themselues his said Lieutenant against them to proceed according to Justice hath commanded Nowe so it is that the said Thomas Gerrard being on the 23th of March 1656 required to Attend the said Lieutenant at a Provinciaill court to be houlden at Newtowne the next day without any lawfull cause shewen & meerey that the said Court should not be houlden nor Justice be then by his Lordships Officers Administred nor his said Lordships Affaires dispatched did willfully & maliciously refuse to attend his said Charge and Office Contrary to his duty & the trust reposed in him; And also to the Greate offence of Almighty God dishonor of his Lordship & whole Councell hath diverse times misbehaued himselfe & offended in Drunkennes & other Lewd behaviour w^{ch} for respect to his person & the whole Councell I forbear to particularize vnles forced to make prooffe thereof by his denyall But that som Convenient Certainty may be contained in this Informatiō I doe charge him with the s^d Drunkenes & Lewd behaviour Comitted on board of Covills ship Rideing in S^t Georges River & in his passage from thence to M^r Edward Packers Landing & from that Landing in his passage vp the River to M^r Thomas Mathews his house.

The foregoing Crimes & misdemeanors being duly wayed

& Considered I his Lordships Attorney humbly pray that the s^d Gerrard may be brought to Condigne & Exemplary Punnishment according to the Lawes of this Province & the seuerall powers to this Hon^{ble} board Committed by his Lordship for the Maintenance of Gods Honor his Lordships Just Rights & the Peoples peace & welfare. Liber II. II.

Wherevpon were Read the depositions of Luke Gardner & Walter Pakes formerly taken by Comission from the Governor & owned by the said Gardner & Pakes before the Councell.

Captaine Nicholas Guyther then sworne saith he was on board Covills ship with M^r Gerrard that he came from on board with him to M^r Packers landing that he can not sweare that he was Drinke but that he had bin drinking & further saith not.

M^r Henry Coursey then sworne Also saith that he was on board of Covills ship with M^r Gerrard that the said Gerrard had drunke somthing extraordinary but was not so much in drinke but he could gett out of a Carts way & further saith not

The s^d Gerrard desired day to putt in his answer, & day was Granted till the next Provinciall Court.

And Ordered that the s^d Gerrard should haue Coppys of the Informacōn & deposicons brought in against him.

At a Councell held at S^t Leonards the six^t of October P. 34

| | | |
|---------|---|------------------------------|
| Present | { | The Governor. |
| | | The Secretary. |
| | | Cap: W ^m Stone. |
| | | M ^r Job Chandler. |
| | | Coll: John Price. |

Came Thomas Gerrard Esq^r & putt a long declaracōn of his former meritts & sufferings & in the end of itt this followeing petition viz

To the Hon^{ble} the Governor & Councell

The humble Petition of Thomas Gerrard

Humbly

Beseecheth your Honors to take the premises into theyr consideracōn & in the space of an houre after your Petitioner shall answer the Charge against him and that the present Company may not depart because many of them will be behooffull as testimonys w^{ch} he desireth may be examined by som person least concerned in the matter, & as the Hon^{ble} Governor shall thinke fitt.

And euer Pray &c.

Liber H. H. Wherevpon the declaracōn was Read & M^r Job Chandler & m^r Iohn Hatch appointed to Crosse examine Wittneses in the matters informed against M^r Gerrard by the Attorney Generall

The Attorney Generall mooued to haue the persons nominated for County Com^{rs} called to Account for refusall to take theyr Oath or Officiate as Commissioners and Justices viz for Calvert County M^r Michaell Brookes and M^r Philip Morgan For the County of Ann Arundell M^r William Barges & M^r Thomas Meares

M^r Philip Morgan pleaded he had till then bin Lane & vnable to officiate or come to Court to be sworne & his plea was admitted he promiseing according to the order of the Board to officiat for the future

Ordered

That the fine to be imposed Vpon M^r Michaell Brookes M^r William Burges & M^r Thomas Meares be referred to the Consideracōn of the Provinciaall Court.

M^r Job Chandler being called away by speciall occasions it is

Ordered

That Coll: Nathaniell Vtie Crosse Examine the Wittneses in M^r Gerrards businesse.

p. 34 At a Councell held at Matapanjent 3^o Decembris } Present { The Governor
The Secretary
Coll John Price. }

It was moved on the behalfe of Thomas Manning Gent then absent that the said Manning had bought a parcell of land lyeing vpon the Cliffes of Thomas Marsh late of the County of Ann Arundell Merchant as by Bill of sale vnder the hand of the said Marsh beareing date 17^o Octobris relation therevnto being had doth appeare.

That the said land was Neuer yett Pattented, & that the Secretary Refused to drawe any pattent for the said land because the said Marsh dyed in Actuall Rebellion against his Lordship & that no heire executor or administrator of the said Marsh had as yett or for ought could be perceiued euer would make themselues capeable of the late Articles of Agreement by w^{ch} only he the said Secretary conceiued the said Marsh or any claimeing vnder him could haue any Just pretence or title to any Grant or Pattent for land

And the Secretary informed the board in Favor of the purchasor that the said Marsh had sould the said land at a time

when he was conceaued a freind to his Lordships interest & before his actuall Rebellion w^{ch} was not before the yeare 1655, & also at a time when the said Marsh had taken an oath of Fidelitye to his Lordship though not that Oath by his Lordships Condiçōns of plantacōn then required in contemplation of w^{ch} he did really beleue the said marsh might then at the time of the passeing his bill of sale to the said Manning haue had a pattent for the said Land if had sued for itt. Liber H. H.

Wherevpon the board Considered that Notwithstanding the Oath by the said Marsh alleadged to be taken might perhaps haue induced the then officers to haue Granted a pattent to the said Marsh Yett that that Oath in truth not being the Oath w^{ch} could intitle any man to land by vertue of his Lordships condicōns of Plantacōn & being vtterly reiected by his Lordship vpon notice Given him of itt & the true oath expressly enioyned to be taken by all before any pattents of land should passe to them respectively; the Heires Executors or Administrators of Marsh seemed to be obliged to make themselues capeable of the Condiçōns of Plantacōn by takeing the engagement according to Articles & Act of Assembly before the said Manning can haue any Grant of the said land & that the Rather because the said Marsh after Oath so taken (w^{ch} might haue induced the Officers to haue passed a Grant in his Lordships name to him the said Marsh) had neglected to take out his Grant within a yeare as by his Lordships Condiçōns of plantacōn is required. Yett this being a leading Case to many others of the like nature, & the Heire to Marsh being nowe & euer since the Articles were made by w^{ch} the Engagement is imposed) absent out of the Province & the case depending also vpon his Lordships pleasure p. 36

Resolved

That the further debate of this businesse be putt of till the first letters be receaued from his Lordship and that then Thomas Manning Gent: be heard and that in the meane time no thing be admitted to the preiudice of the title of the said Manning.

At a Councell held at S^t Marys 23^o Februarij 1658.

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|---------|---------------------------|---|------------------|
| Present | The Governor | { | Mr Luke Barber |
| | The Secretary | | Mr Robert Clarke |
| | Cap: W ^m Stone | | Mr Baker Brooke |
| | Mr Job Chandlor | | |

The Case of Thomas Manning Gent: was moued, & the said Manning nor any for him appearing it is referred to the next councell.

Liber H. H.

Vpon information that the Emperor of Pascattoway was dead or ready to dye the Gouvernor desired the opinion of the Councell whether it were fitt that Wee endeauour the making of a new Emperor yea or no in case he dye. & vpon consideration & debate had thereof

Resolved Vnanimously by the Gouvernor & Councell that wee should Endeauor the making of a new Emperour in case he dye.

Was preferred the Petition of Richard Moore William Hollinsworth & Richard Hollinsworth touching the Customs of ten shillins per hogshead layd vpon all Tob: exported to the Manhatans or other Dutch Plantacon

[Seizure of a Dutch ship.]

P. 39

Annu
1659.

At a Councell held at St Marys Primo Junij 1659

| | | |
|---------|---------------------------|--------------------------------------|
| | The Gouvernor | } Mr Job Chandler Cap: John Price |
| Present | The Secretary | |
| | Cap: W ^m Stone | |

The Gouvernor informed the Councell that there was a ship com into st Georges Riuer w^{ch} pretended she came from Yarmouth in England, & that shee had com immediatly from France: that demanding of the Master his Cocquetts he was able to shewe none whereupon he had seised them: that the men on board her were in different storys from whence he did suspect the were Piratts.

Wherevpon the Prisoners viz Richard Galey Nicholas Salmon & Richard Stockdale were sent for and examined & the Examinations of Thomas Barrett James Montioy & Mathewe Benham read, & it appearing by the Confessions of the said Galey Salmon & Montioy that they without any Commission had seised the said Vessell vpon pretence she belonged to Amsterdam: & they the s^d Prisoners not hauing brought the Master nor any one Dutchman of her company nor the Cocquetts whereby it could be made clearely appeare to what place she belonged, but only so farre forth as the oath of Richard Stockdale (who is an Englishman) is valid who pretends he was one of the Company shipped on board her at Amsterdam & taken in her at the Barbadas.

Vpon Consideracon whereof & of the order prescribed in the seuerall Acts of Par^t for the proueing of shippes to be lawfull prize w^{ch} by the said Prisoners hath not bin obserued the Court doth Judge

Vide the Examinations vpon the Record of the Provinciaall court Fol: 269.

That the ship Called the s^t George of Amsterdam & her freight brought into this Port by the said Prisoners be seised into the hands of the Lord Proprietary & that if within a yeare & a day no lawfull Right be made appeare that then she with all her freight apparrell tackle & furniture be adiudged lawfull prize & that in the Interim the goods be appraised. Liber H. H.

At a Councell held at s^t Marys Quarto Junij 1659

| | | | | |
|---------|---|-----------------------------|---|------------------------------|
| Present | { | The Gouvernor | } | Coll: John Price |
| | | The Secretary | | & |
| | | M ^r Job Chandler | | M ^r Robert Clarke |

To the Honble &c

Philip Caluert Treasurer & Receauer Gennerall
sheweth.

That vpon 31th of May last past Richard Galey Nicholas Salmon Thomas Barrett James Montioy Mathew Benham George Lyne & Peeter Janson a Pinke called the s^t George of Graft had into this Port of S^t Marys as Prize brought: that at a Court held the first of June the said ship and goods for want of prooffe could not be adiudged Prize but was adiudged to be seised into the hands of the lord Proprietary there to Remaine for a yeare & a day, after w^{ch} time she was to be adiudged Prize if no lawfull Right of other persons could be thereto made appeare as by the said Order more at large appeareth p. 40

That since the said Order search being made in the said ship certaine Dutch Cocquetts haue on board the said ship bin found. That by the said Cocquetts & sea breife it doth appeare the ship belonged to Graft and the inhabitants of the Vnited Provinces: that shee was taken in Carlile Bay in the Barbadas that shee had traded in the said Jland, landing there fower horses and diuerse other goods & Receauing on board sixe hogsheads of sugar and seauenteen baggs of Cotton of the Grouth of that Country, as appeared by the Oath of Richard Stockdale That she was Loaden at Amsterdam with French Brandy wine & french Canuas as appeareth by the oath of Richard Stockdale also & som silkes all w^{ch} were goods not of the Grouth of Holland, And therefore Craueth Judgment of the board.

The opinion & Judgment of the Councell is

That the ship S^t George & goods be inuentorized & apprayed & that his Lordships Treasurer haue power to sell and dispose of seauen tenths for which he is to be accomptable to the Lord Proprietary in case the said ship & goods be found

Liber H. H. to belong or any ways appertaine to his said Lordship: otherwise to those persons who shall make Lawfull right appeare thereto within a twelue month & a day intended to begin from the first day of June last; And that the other three tenths be deposited into the hands of his Lops Gouvernor to be by him sould Hee being accomptable therefore in case any Just claime (except by his said Lop) be made thereof within a twelue month and a day beginning from the first day of June as aforesaid

| | | | |
|-------------------------------------|-----------|----------------------------|---|
| At a councell Held at Ann | } Present | The Govern ^r | } |
| Arundell 23 ^o Julij 1659 | | The Secretary | |
| | | Coll: Nath Vt ^e | |
| | | M ^r Rob: Clarke | |
| | | M ^r Ed: Lloyd. | |

[Order against Quakers.]

Vpon Consideracōn had of the disturbance in the Civill and military part of the Government by the Quakers.

Ordered as followeth: viz

Whereas it is to well knowne in this Province that there haue of late bin seuerall vagabonds & Idle persons knowne by the name of Quakers that haue presumed to com into this Province as well diswading the People from Complying with the Military discipline in this time of Danger as also from giving testimony or being Jurors in causes depending betweene party
 p. 41 & party or bearing any office in the Province to the no small disturbance of the Lawes & Civill Govern^t thereof: And that the keeping & detayning them as Prisoners hath brought so great a charge vpon this Province the Governor & Councell taking it into theyr Consideracōn haue thought fit to Appoint & doe heereby for the prevention of the like inconveniences for the time to com Require & command all & euery the Justices of the Peace of this Province that so soone as they shall haue notice that any of the foresaid Vagabonds or Idle persons shall againe presume to com into this Province they forthwith cause them to be apprehended & whipped from Constable to Constable vntill they be sent out of the Province.

Articles

of agreement made & Confirmed this 29th day of July 1659 betweene Iosias Fendall Esq Lieut^r & Govern^r of the Province of Maryland on the behalfe of the Lord Proprietary of the one party

and

Tatacoughkow on the behalfe of the Indians of Trasqua- Liber II. II.
kin. &

Nawighkough on the behalfe of the Indians of Rasoughteick &
Tetuckough: &

Vnnamowas on the behalfe of the Indians of Maquamti-
cough &

Naqutsough on the behalfe of the Indians of Sequawaugh-
teick: &

Tequassin on behalfe of the Indians of Quowaughkutt: &

Zakowan on the behalfe of the Indians of Monoponson: &

Quassatum on the behalfe of the Indians of Amusteack of the
other party as followeth. Viz:

Imprimis that there be an Inviolable peace & perpetuall
Amity and freindship established & confirmed betwene the
foresaid Indians of the Easterne shoare & the English inhabi-
tants of this Province to endure to the worlds end

2 That it shall be lawfull for any English inhabitants of this
Province, or w^{ch} shall heereafter com & inhabite within this
Province to seat themselues & Familys with theyr estates &
Cattle vpon any land on the Easterne shoare belonging to the
foresaid Indians without molestation or Trouble from the said
Indians.

3 If any Indian or Indians aforesaid shall steale & Carry
away any goods whatsoever or kill any swine or other Cattle
belonging to any inhabitant of this Province That the foresaid
Indian or Indians restore such stolne goods back againe to
the owners making further satisfaction in case the goods be
damnified or diminished & satisfaction likewise for any swine
or other Cattle killed as afores^d

4 That if any the foresaid Indians shall happen to kill an
English inhabitant both the Indian that Committeth such
Murther & all other his Accessories therein shall be delivered
vp by the said Indians to the Govern^t of this Province to be
proceeded against according to Lawe & Justice.

5 In case any the Indians aforesaid receaue any damage or ^{p. 42}
be aggreived through the misdemeanor of any the English
inhabitants aforesaid: They are to repaire to M^r Henry Mor-
gan vpon the Ile of Kent who togather with the commander
& the other Commissioners of that County shall see them
Righted & satisfaction Giuen as to them shall seeme Just
& Convenient And on the Contrary likewise vpon any
complaint for damage receiued or other aggreivance from
the said Indians the English are to repaire to Tatacoughkow
who is to cause satisfaction & right to be don & especially for
any thing Committed against & the breach of any the foresaid
Articles.

Interchangeably signed by the aforesaid Josias Fen-
dall & Philip Calvert of & to the one part &

Liber H. H.

Tatacoughkow: Wawighkow: Vanamowas Naqut-
saugh: Tequassin: Zokowan: & Quassatum on & to
the other part

At a Councell held at Ann Arundell 3^o Augusti 1659

The Govern^r } Coll: N: Vtie
Present The Secr: } M^r Edd: Lloyd

Thomas Thurston brought before the Govern^r & Councell by warrant from Coll: Nathaniell Vtie Grounded vpon the order of 23 of July last pleaded he was then at the time of the making that order within the Province & consequently not with in the letter of the Order. Wherevpon it was Ordered that

Whereas there was an order passed this board the 23 of July last past, whereby the Justices of Peace were enioyned to see all Quakers not inhabitants of this Province dissuading the People from complying with the Orders & commands of the Magistrates to be whipt from Constable to Constable & sent out of this Province which order related to the time then to com. And whereas Thomas Thurston in Obedience to that Order was by Coll: Nathaniell Vtie imprisoned to be proceeded against accordingly. It appearing to this board that the s^d Thurston was then at the Time of the making of the said Order within the Province & consequently not within the letter of itt. The board doth Judge That the said Thurston be for euer bannished this Province, & that if he be found within this Province at any time 7 days after the date heereof or shall att any time after returne againe into this Province that he be by the next Justice of the peace caused to be whipt with 30 lashes & so sent from Constable to Constable till he be Conveyed out of the Province. And that if he shall then at any time againe presume to returne into this Province that he be whipt with 30 lashes at euery Constables & be againe sent out of the Province as aforesaid. And it is further ordered that no person whatsoever presume to receaue harbour or conceale the said Thomas Thurston after the tenth day of this Present month vpon Paine of fine hundred pounds of Tob for euery time that they shall so Receaue harbour or Conceale him the said Thomas Thurston.

p. 43

Vpon Complaint made by the military officers of the neglect of Military discipline for want of sufficient provision against defaulters at Musters in theyr last instructions it is ordered

Order Fines

default: musters

That the Colonells of the Regiments do see that the Musters be performed as in theyr last instructions & that they doe cause all defaulters to be fined one hundred pounds of Tob: for euery default from this time forward.

Order Dela- Then was taken into Consideracōn his Lo^{ps} Jn- Liber II. H.
ware Bay. struction & Command to send to the Dutch in
Delaware bay seated within his Lōps Province to command
them to be gon. & Ordered

That Coll: Nathaniell Vtie do make his repaire to the
pretended Governor of a People seated in Delaware bay within
his lo^{ps} Province & that he do giue them to Vnderstand that
they are seated within this his Lops Province without Notice
Giuen to his Lordships Lieutenant heere & to require him to
depart the Province.

That in case he find opportunity he insinuate vnto the People
there seated that in case they make theyr application to his
Lordships Govern^t heere they shall find good Condi^cōns, Ac-
cording to the Condi^cōns of Plantacōn granted to all Commers
into this Province w^{ch} shall be made good to them: & that they
shall haue protection in theyr liues, libertys, & estates w^{ch} they
shall bring with them.

The letter of the Governo^r to the Com-
mander of the People in Delaware bay.

S^r

Letter sent by Coll I receaued a letter from you directed to me
Vtie to Delaware as the lord Baltmores Governor & lieutenant
of the Province of Maryland wherein you suppose your selfe to
be Governor of a people seated in a part of Delaware Bay w^{ch}
I am very well informed lyeth to the southward of the degree
forty & therefore can by no meanes owne or acknowledge any
for Governor there but my selfe who am by his lo^p appointed
lieutenant of his whole Province lyeing betweene the degrees
38 & 40: but do by these require & command you presently
to depart forth of this his lōps Province or otherwise desire you
to hould me excused if I vse my Vtmost endeavour to reduce
that part of his Lōps Province vnto its due obedience vnder
him.

Orders of the Councill of State.

Tuesday 4th October 1659.

Upon Information given by Richard Pight Clerke of the
Irons in the Mint, that Cicill Lord Baltimore and diverse others
with him, and for him, have made and transported great sums
of money, and doe still goe on to make more.
Lord Baltimore to be apprehd Ordered, That a Warrant be issued forth to the
said Richard Pight for the apprehending of the Lord Baltimore
and such others as are suspected to be ingaged with him, in
the said offence, and for the seizing of all such monys stamps,
toolles and Instruments for coyning the same, as can be met
with, and to bring them in safe Custody to the Councill.

P. R. O.
Domestic
Interregnum.
Vol. 107,
p. 646

Liber H. H.
P. 44

[Mission of Herman and Waldron.]

| | | | |
|---------------------------------------|-------------|---------------------------------------|---|
| At a Councell held at Patux- | } Present { | The Governor | } |
| ent October the 6 th 1659. | | Secretary | |
| | | Cap ⁿ W ^m Stone | |
| | | M ^r Thomas Gerrard | |
| | | Luke Barber | |
| | | Coll. Nath. Vtye | |
| | | Baker Brooke | |
| | | Ed. Lloyde | |

Came Augustinus Herman and Resolved Waldron and presented the Governor and Councell with a letter and Credentials from Petrus Stuyvesant Gennerall of the New Netherlands in Dutch (and Englished by M^r Symon Overzee, by order of the Councell) as followeth (vizt)

Honorable Lords

Wee haue with great astonishment vnderstood how, that one Collonell Nathaniell Vtie of late without that there is yet shewed to vs any lawfull quallification Commission or Order from any State or Governm^t but onely vpon a Seditious Cartabell in forme of an Instruction without inserting any tyme or place, or where or from whom or in whose name, Order or Authority it was written onely Subscribed Philip Calvert Secretary is come to vs within our Government, and Colony of New Amstell, and vpon the same soe formed Instruction hath demanded the foresaid place, and Colony of New Amstell, and vpon refusall hath threatened the Governor, Councell, and Inhabitants of the place to blood in Case that the foresaid ffortress and Colony is not rendred willingly within the tyme and space of three weekes, and to come againe by force of people to inforce the same by way of hostillity to invade the same. And moreover the Inhabitants of the said place Subiect to the High and mighty Lords States Generall of the vnited provinces haue sought to alienat, and to induce to Rebellion from their lawfull Comannders and oure Nation which is also directly against the Confederacy and peace Articled betweene the Republick of England and the abouesaid High and mighty Lords States Generall of the Vnited Provinces made in the yeare 1654. And whereas the aforementioned Coll Nathaniel Vtye in his discourse did make mention as if hee by yow thereto was quallified and Commannded, Which Nevertheless Wee out of the aforesaid pretended Instruction in noe waies can be induced to belieue. Therefore wee haue to auoide all misvnderstandings betweene

P. 45

these Governments, people and Subiects thought fitt to send to yow as Agents and Embassadors our Welbeloved and Trusty Augustin Herman, and Resolveer Waldron for to

remonstrat all what is aforesaid, and how ill those odious proceedings wilbe taken by the High and Mighty Lords, States Gennerall, the Lords Overseers of the West Jndya Company, and the High Esteemed Lords and Governors of the City of Amsterdam, as they are taken now already soe by Vs, and to request for what is past (in Reference to the Articles of Peace, and in a Kind and Neighbourly Way the apprehension of Certaine fugitiues, All this in Conformity to their Comission These are onely to serue for their Address and Safe Conduct, And Wee accordingly request that the foresaid our Commissioners according to the Right of Nations may be Creditted and belieued as our trusty Embassadors Which wee in like occasions at all tymes shalbe willing to acknowledge, and remaine in all other Observations Which Wee trust shalbe accepted in all Cordialty

Honored Lords

Your affectionat freinds
and Neighbors.

P Stuyvesant

Dated ffort Amsterdam
in New Netherland the
23th September 1659.

By Commannd of the Lords Overseers
Generall and Lords Councillors of N: Neth-
erland.

C V Ruyven Secret'

Superscribed as followeth.

Petrus Stuyvesant In the behalfe of the High and Mighty p. 46
Lords States Generall of the Vnited Provinces, the Noble
Lords Overseers of the authorized West India Company as
Director Generall of New Netherland Curacoe Buonayro Araba
and the appertenants of them with advice of the Lords of the
Councell. To all men that theese shall come to See or heare
Salut Wee make knowne that Wee haue quallified authorized
and haue given power, As wee doe quallifie authorize and giue
power by these presents to S^{rs} Augustine Heermans and
Resolveers Waldron as our trusty Embassadors to address them-
selues to the Honno^{ble}. Josias ffendall Governor of Maryland,
and after the Delivery of the Coppy of this, and letter to his
Honnor in a freindly and Neighborly way to request the
Redelivery and restitution of such ffree People & servants as
for debts and other wayes haue benefited and as to Vs is given
to Vnderstand that for the most parte are resideing in his
honnors Government especially about a yeare since haue gone
out of this Colony of the High well Esteemed Lords Governors
of the City of Amsterdam which if yow doe, wee are ready to
assure yow that in maintaineing of good Justice and neighborly
duty to doe the same besids all those that may come Runa to

Liber II. H. vs out of any of your Neighbors Governments, otherwise if Contrary wise your Honnor shall make any Exception or delay vpon this freindly and neighborly representations then to his honnor, as also to the Councell or any that this may concerne to make it knowne that Wee shalbe inforced Lege Talionis to publish and to grant all liberty and Staye ffree accesse and Recesse to all planters (Servants and Negroes included) which now are out of his honnors Government or hereafter shall Come to vs.

Secondly Wee doe Coñmand our foresaid Embassadors and Agents to make knowne to the Lord Governor and his Councell what has past about the Comeing and arrivall of one Nathaniel Vtye in the foresaid Colony of N. Amstell seeking to Suborne and induce the Jnhabitants of the High and Mighty Lords of the said Colony to Rebellion from their legall Coñmander and owne nation, and further without any lawfull order Act or Quallification from any State pvince Parliament or Government shewing onely open a Conceiued Instruccōn or Cartabel without tyme or place or when written nor by order of any State Prince or Parliament or Government Subscribed
 p. 47 demanding and in Case of refusall threatening our said ffortress to bloud with the said Colony of N: Amstel, thereto adding the said ffortress wth in the tyme of three Weekes (in Case the same was not surrendred willingly) with power of people to invade, by way of hostility which is altogether Contrary to the Articles the 2. 3. 16th and last of the Confederacy and peace betweene the Republick of England and the Netherlands in the yeare 1654. made: And also Wee out of the said Conceiued Instruction, by Coll^r Nathaniell Vtie delivered, to the Lord Director of the said Colony of N Amstel Cannott Conceiue any higher, power, or authority, or order to such seditious proceedings, and perswasions to the Subjects from their legall Lords and owne Nation, and far less for to demand and threaten such places where their Vndoubted Right Can be shewed by Pattent of the High and mighty Lords States Generall granted to the Noble Lords Overseers of the West Indias Company. further by bargaine and sale and Deeds of the Natiues and possession aboue these fforty yeares, which is then Contrary to the lawe of Nations and contrary to the fore mentioned Articles of Peace to this tyme as yet intirely observed, to whose Iudgment and decision all Questions (if there should arise any (betweene both Nations) first must be referred according to the Last Article of the peace where our owne forenamed Embassadors are especially authorized and Commanded seriously to request the foresaid Lord Governor and his Councell by vertue of the aforesaid Articles of Peace to giue vs Right & Justice against the said Collonell Nathaniell Vtie with reparation of

damages already sustained (by his frivolous demands and bloudy threatening) In Conservation of our plantations in the Sowth River and hereafter may be inforced to doe. And further by these our open Commission doe request that the abovementioned Embassadors Augustinus Heermans and Resolvert Waldron as our trusty Agents, according to the lawe of Nations may be receaved heard, and full Creditt may be giuen promising to ratify and to approve, and to hold of force what shalbe don by them, according this Commission as if such was don by our Selfe. These Wee haue giuen vnder our ordinary Cachett, and Signature in Amsterdam in N Netherland the 23th of September Anno one thowsand Six hundred ffifty p. 48
Nyne

Liber II. H.

P Stuyvesant

Locus Sigilli

×

By Comand of the Lord Director
Generall of the N. Netherland Curacoe
&c and the Lords of the Councell

C V Ruyven Secrets

After which the said Agents delivered the ensuing Declaration (vizt)

Declaration and manifestation

By way of Speech delivered vnto the Honno^{ble}
Governor and Councell of the Province of Maryland
in Chesepeake Bay from and in the behalfe of the
honno^{ble} Governor Generall and Councell of the pro-
vince of the new Netherlands.

Notifying first and former the Ancient originall Right and Tytle the Subiects of the High and mighty States Generall of the Vnited provinces vnder the propriety of the Lords of the West Indy Company of Amsterdam in Holland, Haue vnto the Province of the New Netherlands, latituded from Degree 38, to about 42 by the Great Ocean Sea, and from thence 200 (Circuited all Rivers Jlands, and maine Continents) Northerly vp to the River of Canada, on the West side Virginia, and now Maryland Upon the great Bay of Chesopeake, and on the East New England. To say, That their Ancient Right and Tytle to that parte of the New found World of America. Doth in a manner derive to them, first from the King of Spaine, as then Subiects or Vassalls to the first finder and fundator of that New world Who after Warr and peace in those dayes Concludeth did renounce and Giue over vnto the vnited Republick of the Seven provinces aforesaid all his Right and Tytle of those Countreys and Dominions they haue

Liber H. II. then in process of tyme Conquered and Seated in Europe, America or Elsewhere whereof the aboues^d province of the new Netherlands the Jlands of Curacoe and Brasille became the true proper inheritances to the Dutch Nation in those parts in that respect.

p. 49 Secondly, As for the Generallity The ffrench were in the yeare of our Lord God Allmighty 1524 the Second followers of the Discovery in the Northerne parts of this America by Jehan de Verazzano a fflorentine

Then Came the English and Dutch afterward also, and tooke possession in the parts wee are in now. for Since the yeare 1606, or 1607, to about 18 or 20 The English established and seated their Colony of Virginia by Distinct pattents from the Degree 34 to about 38. The Dutch the Manhatans from 38 to 42, And New England from the degree 42 to 45, The ffrench slaine in fflorida beheld Canada (Spaine the West Indies or Mexico, The Portugalls Brasyll) And thus is this New World divided amongst the Christian princes of Europe, by Communication of each others Embassadors agreed vpon Out of which Reason King James of England Did Will Comand and require that the Colony or province of Virginia, and the province of New England should remaine asunder and not meete together within the Distance and space of a hundred leagues which was allotted for the Dutch plantations then called by the Generall name of Manhattans, after the name of the Indians they were first seated by And is here to be noted that they deeply mistake themselues who interprett the Generall name of Manhattans aforesaid, vnto the particular Towne built vpon a little Jland because as it is said it signified the wholl Countrey & province, or at least that particular place in that province as per Example, like it is frequent still to this Day amongst some to Say to goe or Come from the Manhattans when they meane the whole province like vnto Virginia or Maryland for that particular Towne it selfe is never named the Manhattans, but New Amsterdam. And as for the Sowth River or as it is Called by the English Delaware int particular: The said River was in the primitiue tyme likewise possessed, and a Collony planted in the Westernne Shore within the mouth of the Sowth Cape called the Hoor Kill to this day, The Dutch Nations erecting there and all over the Countrey their States Armes and a little fforte, but after some tyme they were all slained and murthered by the Indians Soe that the possessions and propriety of this River at the first in his Infancy is Sealed vp with the bloud of a great many Sowles. After this

p. 50 in the yeare 1623 the fforte Nassaw was built about 15 leagues vp the River on the Easterne Shore, besids many other places of the Dutch, and the Dutch Swedes to and againe settled.

untill it thought the Governor Generall and Councell good to remoue the said fforte Nassas in the yeare 1650 downewards to the Westerne Shore againe, and there to fix a Towne as it is to this day. No man ever makeing any protest or Claime from Maryland or Virginia against it. Wee Say further more, to haue the propriation and iust Right and Tytle of that whole River (and all our abouesaid province) also lawfully obtained and legally bought from the Naturall proprietors the Natiue Indians, especially the Westerne Shore from tyme to tyme hitherto, as farr and more within land to the West, as our lyne and limitts as yet are extended and seated. By vertue of all Which & the Right and Tytles aboue mentioned wee haue allwaies maintained and Defended the said River against all Vsurpers and Obstructers as it is publickly knowne to this Day, and shall doe for Ever.

Liber H. H.

Thirdly from that primitiue tyme aforesaid haue the Dutch Nation in the province of the New Netherlands, and the English Nation in the province of Virginea and Maryland aforesaid allwaies freindly and Neighbourly Corresponded together, and that which is very well to be noted selfe in the Last open warr without any Claime iniury or molestation one to another. Vntill vpon the Eight day of September this runing yeare 1659 Coll^d Nathaniell Vtie Came to our aforesaid Sowth River (by the English called Delaware Bay aforesaid) into the Towne and fforte New Amstell erected in the yeare 1650 as abouesaid, and without any speciall Comission or lawfull authority from any State, Prince Parliament or Governm^t exhibited onely by apiece of paper, a Cartabell by forme of an Instruction from Philip Calvert Secretary written without yeare or Day, nor name or place where neither signed and sealed by any State Prince Parliam^t or Government Comandeth in a manner and required in a strange way, That the Towne and Countrey should be delivered and surrendred vp to the Province of Maryland as he saith for my Lord Baltemore. Going from howse to howse to seduce and draw the Inhabitants to rebell and fall from their Right Lawfull Lords Sovereigne Government and Province with threatening in Case of no present willing submission, and Delivery to Come againe and bring them to it by force of P. 51 Armes fire, and Sword whereto hee saith a great Company were kept and held for that purpose in readiness, Nay that the whole Province of Maryland should rise and Come to bring them vnder and that they then should be plundered, and their howses taken from them, and So forth. Against which Action and iniurious & illegall proceedings, The Deputy Governor and Magistrats of the aforesaid River and Collony firmly haue protested, and answere made vnder their owne hand subscribeing, dated the 9th of September 1659. last past insinuating

Liber H. H. that the further occupation of that great buisness of Consequence did belong and must be referred to the Honno^{ble} Governor Gennerall & Councell of the whole Province of the New Netherlands of whom an answeare should be expected within three weekes tyme Who after ayd and assistance done to their Subiects in the aforesaid River haue vs vnder written as Embassadors, and Messengers with all speede send hither to yow the Honno^{ble} Governor and Councell Assembly, or whom it in any way might Concearne in the Province of Maryland of Chesepeake Bay, for to Declare and manifest by power and authority of our Co^mmission whereof wee this present deliver Duplicatt

first that the foresaid iniurious parts are done not only against the lawe of Nations Neighbourly freindship, and Co^mon æquity, But also directly Contrary to the Amity Confederacy and Peace made and Concluded in the yeare of our Lord God Almighty 1654, Betweene the two Nations of the Republick of England, and the Republick of the Vnited Provinces and their Subiects all over the World (vizt) Articles 2. 3. 5. 6. 9. 10th and 16. Whereby Wee proclaime the said Embassadors Amity and Peace is disturbed and interrupted by the said Coll^l Nathaniell Vtie or his Principles of the Province of Maryland against the Province of New Netherland aforesaid, And therefore make protest and by power from the abouesaid 16 Article of peace and Sociatyon, Demand Iustice and Satisfaction of all those Wrongs and Damages the Province of the New Netherlands and their Subiects haue already by the abouesaid iniurious proceedings suffered, or as yet may come to suffer.

p. 52 Secondly Wee demand the sending and retourneing back to our aforesaid Sowth River and Collony all the Dutch and Swedes people Subiects Runawayes and fugitiues which from tyme to tyme especially this present yeare (for the most part deeply ingaged indebted, or delinquents) are come over and remaine in this Province of Maryland, as it is strongly suspected by meanes of the abouesaid odious and iniurious designe from hand to hand incouradged. Declaring that the said honno^{ble} Governor Gennerall, and Councell of the New Netherlands, are in readiness to doe the like in sending, and retourneing back to Maryland all those Runawayes, and fugitiues which may come into their Jurisdiction and Government aforesaid, Which manifestation in Case of not That according to lege tallionis, The honno^{ble} Governor Generall and Councell of the new Netherlands aforesaid hould themselves Constrained necessitated and excused to publish free liberty access and recess to all Planters Servants Negros, ffugitiues and Runawayes which from tyme to tyme may come over out of the Jurisdiction of Maryland into the Jurisdiction of the New Netherlands aforesaid

And whereas (to say som things by way of a little discourse Liber II. II.
to the supposed Claimes or pretence of my Lord Baltremores
Pattent vnto our aforesaid Sowth River or Delaware Bay) Wee
vutterly deny disowne, and reiect any power and authority (ex-
cept breakers of peace, and Actors as publick Enemies which
rests onely vpon their strenigth and self will) that may or can
legally come to reduce, or subdue the said River & Subiects
from their right lawfull Lords and Proprietors, by whom it is
vndenyable iustly and lawfully possessed and seated about
fforty yeares agoe as abouesaid, when to the Contrary the
Pattent of the said my Lord Baltimore is of no longer standing
and settlement then about 24 or 27 yeare, without any particular
expressions or speciall Tytle mentioned to take that River of
Delaware Bay from the Dutch, Not in soe much as S^r Edmond
Ploythen in former tyme would make vs belieue hee hath vnto
when it afterward did prove and was found out, hee onely sub-
reptiff and obreptiff hath somthing obtained to that purpose
which was invallid. And putt the Case the said my Lord
Baltimore or any other hath any Seeming Tytle to the afore-
said River or Delaware Bay then his lordship according to the
30th Article of peace and Confederacy should haue made his No. 53
repaire before the 18th of May 1652 to the Honno^{ble} Commis-
sioners appointed by both States a purpose for the Deter-
mination of such and the like differences as might haue bine
Committed or transacted betweene the two Nations in the for-
raigne parts of the world ever since the yeare 1611 to the 18th
day of May 1652 after w^{ch} tyme it is in plaine tearmes pro-
hibited and proclaimed that then noe pretences more should
be admitted. In obedience to which to proue the true meaneing
and interpretation of the aforesaid thirtieth Article by two
Evident Examples and Wittnesses of your owne Race and
Chieftest authority of the Republick of England) Wee say that
New England in those dayes claimeing also som intrest to our
limitts from their Side, And my Lord Protectors Shippes by
open warr send thither to subdue the aforesaid Province of
New Netherland at the other side Peace being Concluded
renounced and deserted vpon that Occasion their Designe and
went against the ffrench. So that the Right and Tytle the
Dutch Nation haue vnto their Province of the Netherlands
aforesaid ever since Moore and more stands conformed and
Ratified. But fforasmuch now motion is made and question
moved into our Western limitts, and haueing therevpon ob-
served and suspected the Bay of Chesepeake in the Vppermost
parts therof winding soe much to the North East to run about
Sassafrax and Elke River into our Lyne, wee therefore lay also
Claime to those parts vntill by Due Examination hereafter the
truth hereof may be found out or agreed and settled amongst
vs otherwise

Liber H. H.

Lastly and finally to Conclude the Honno^{ble} Governor Generall and Councell of the New Netherlands about said Doth Declare and manifest that like Wee at our Side never haue intended any wrong or offence to the Province of Virginea, or now Maryland in the Bay of Chesepeake So wee desire to Continue still with them in all neighborly amity, Confederacy and freindship Saeing onely that Justice and Satisfaction may be given as here demanded. Propounding further by way of advice to prevent further mischief that three
 p. 54 Rationall persons in each Side may be Committed out of each Province aforesaid for to meete at a Certaine day and tyme about the Middle, of betweene the Bay of Chesepeake, and the aforesaid Sowth River or Delaware Bay at a Hill lying to the Head of Sassafrax River, and another River coming from our River all most neere together, With full power and Commission to settle there the bounds and limitts of, betweene the aforesaid province of the New Netherlands and the Province of Maryland for Ever, if possible, otherwise to referr the Difference they might find not agreeing to both Lords proprietors or Soveraignes in Europe, But in the meane while that all further hostillity or infractions to each other may Cease and not proceede further Soe that the honno^{ble} Governor Generall & Councell of the New Netherlands hereof assured further Charges and Damages excused May call their Soldyors home which vpon the Action or to defend their Province and Colony aforesaid are onely sent thither and that Wee both sides at a faire Correspondency may be kept as allwaies hitherto before.

By Denyall or refusall whereof Wee doe proclaime our Innocency and Ignorance to all the World and Doe protest Gennerally against all wrongs iniuries Charges, and Damages already sustained, and suffered, or as yet to be suffered & sustained. Declaring and manifesting that wee are and shalbe then necessitated and forced by way of recourse or Reprissail according to the 24 Article of peace to preserue maintaine, and to hould our Right Tytle and Propriety of our aforesaid Sowth River Colony, or Delaware Bay and our Subiects liues liberties and Estates as God in our Just Cause shall strenigthen and enable vs

Desireing this may be recorded and notified vnto all to whom it in any way may Concearne with the true meaneing and tennor thereof, and that a Speedy direct answere and Dispatch may be given to vs in writting from yow the honno^{ble} Governor and Councell of the Province in Maryland for to be retourned and recorded by our Honno^{ble} Governor Generall & Councell of the Province in New Netherland

And Soe wishing the Lord God Almighty will Conduct your honno^{rs} both to all prudent results that Wee may liue neigh-

hourly together in this Wilderness to the advancement of Gods Liber II. II.
Glory and Kingdome of Heaven amongst the Heathens, and P. 55
not to the Destruction of each others Christian blood, whereby
to strengthen the Barbarous Indians nay rather ioyne in loue
and league together against them Which God our Saviour will
grant

Written and Signed by our owne hands in the Province of
Maryland in Chesepeake Bay at St Maryes County and
Delivered this 6th Day of October Anno Domini 1659 in
patuxent

Augustine Herman
Resolved Waldron.

Which Declaration being read by the said Augustinus Her-
man and delivered to the Governor hee withdrew, and the
Councell resolved that the buisness be forthwith taken into
debate, & that they would haue ready an answere by Saturday
the 8th instant by fve of the Clock in the afternoone and
aiourned till next morneing.

At a Councell held at Patuxent October the 7th 1659.

| | | | | |
|---------|---------------------------------------|---|---|-----------------------------|
| Present | The Governor | } | { | Luke Barber |
| | Secretary | | | Coll Na: Vtie |
| | Cap ⁿ W ^m Stone | | | Baker Brookes |
| | Mr Thomas Gerrard | | | Ed LLoyde Esq ^{rs} |

The Councell tooke the Declaration &c of the Dutch Embas-
sadors into consideration, and after long debate considering his
Lo^{ps} Instructions and order were onely to giue the Dutch
warneing to be gon, that when wee are able to beate them out,
they may not plead Ignorance resolved that an answere be
given in writteing by way of letter directed to the Generall of
the Manhattans in these words (viz

Honno^{ble} Lords

Wee haue receiued your letters of Credence by the hands of
S^{rs} Augustinus Herman and Resolved Waldron your Embas-
sadors. wherein as Wee find many expressions of loue and
amity, soe wee accompt our Selues obliged to retourne yow
reall thanks in vnfoldung the Causes of that w^{ch} it seemes
hath bene the reason of your astonishment and wonder, and as
the matter shall permitt giue yow that satisfaction which with
reason you can expect and which wee likewise shall exact from
yow in the rendring to vs as Substitutes of the Right Honno^{ble}
Cæcilius Lord Baron of Baltmore, Lord and Proprietary of P. 56
this Province &c. That part of his Lo^{ps} Province lying in

Liber II. H. Delaware Bay to vs entrusted and by yow (as it seemes injuriously seated in prejudice to his said Lōps iust right and Tytle.

ffor answe're therefore vnto your Demands by your said Agents made. Wee Say that Collonell Nathaniell Vt̄ie was by Vs in pursuance of a Cōmand from the Right Honno^{le} the Lord Proprietary ordered to make his repaire to a Certaine People seated vpon Delaware Bay within the 40th Degree of Northerly latitude from the Equinoctiall Lyne to lett them knowe that they were resideing within our Jurisdiction without our knowledge much more without our License with out Grant of Land from or Oath of ffidellity to his Lordship taken Both which are expressly by his Conditions of plantation, and lawes to all Comers here to inhabitt conditioned and enioyned, And further to offer vnto them such Conditions in Case they intended there to stay, as Wee our selues enioy. But in Case of refusall and abode there made, to lett them knowe wee should vse all Lawfull meanes to reduce them to that Obedience which all People within the Degree aforesaid are bound to yeild vnto vs as intrusted with this Province by the Right hōble the Lord Baltemore Sole and absolute Lord and Proprietary of the same by Pattent vnder the Great Seale of England bearing Date 20th of Iune in the yeare of our Lord God 1632 And since by Act of Parliament confirmed (a Copy whereof wee haue shewed to your said Embassadors). And since yow by your writteing as well as by your Embassadors seeme to insinuate that the said Colony in Delaware Bay is Seated thereby and vnder your Comand Wee doe protest as well against them and yow, as against all other persons either Principalls or Abettors in the said Intrusion vpon our Bounds and Confines. Our Damages and Costs in Due tyme, and by all lawfull meanes to recover which wee either haue or shall at any tyme hereafter Chance to Sustaine by the Recovery of that place soe seated within our bounds and limitts, and injuriously by yow deteyned

p. 57 The Originall Right of the kings of England to these Countreys and Territoryes must be our Endeavours to maintaine, not our Discourse to Controverte or in the least our attempt to yeild vp, as being that which wee can neither accept from any other power, nor yeild vp to any other authority without the Consent of our Supream Magistracy their Successors in the Dominion of England. Though Wee cannott but minde yow that it is noe Difficult matter to shewe that your pretended Tytle to that parte of this Province where those people (now if at all the first tyme owned by the High and Mighty States to be in Delaware Bay seated by their Order and authority) doe liue is vtterly none, and your Pattent (if you haue any) from

the States Generall of the Vnited Provinces voide and of noe effect. And to those Instructions by vs deliuered to the said Collⁿ Nathaniell Vtie, soe much insisted on by yow Wee say they are such as Every person inhabitant of this province ought to take notice of, as being subscribed by the Secretary of this Province, and to noe other Did wee giue them, or hee make vse of them. Neither Can wee belieue the High and Mighty States Gennerall &c. Doe thinke or will now owne those People at Delaware Bay to be there seated by their Authority since they haue heretofore protested to the Supream authority then in England not to owne their Intrusion vpon their Territoryes & Dominions. As to indebted persons if any be here that are to yow engaged our Courts are open and our Justice speedy, and denied to none that shall demand it of vs, w^{ch} wee think is asmuch as Can in reason be expected, And the selfe same Course wee take, and the onely remedy wee affoord to our Neighbour Colony of Virginia and our fellow Subiects and brethren of England. Thus hoping that yow will Seriously weigh the Consequences of your actions, Wee rest in expectation of such a Compliance as the Style yow giue yourselues imports haueing taught vs to subscribe our Selues

Liber II. II.

Your affectionat freinds
and Neighbours.

And ordered that notice be given to the Embassadors to attend their answere the next day according to former order of the Board.

M^{dm} after the answere agreed vpon the said Augustine Herman and Resolved Waldron presented this following paper vizt.

Vpon the Sight and viewe of my Lord Baltmores Pattent this 7th day of October 1659 presented vnto vs by the Honno^{ble} Governor and Councill of Maryland. p. 58

To Say Reserued onely what the Honno^{ble} Governor Generall and Councill of the New Netherlands in the behalfe of our Lords proprietors and Soveraignes the High and Mighty States Generall of the Vnited Provinces might haue to alledge against it

Wee repeate and reply our former Declaration and manifestation the 6th of this Instant deliuered vnto the Honno^{ble} Governor and Councill of the province of Maryland. and say further

That the Originall fundation of the aforesaid Pattent, Sheweth and maketh appeare that my Lord Baltimore has hath to his Royall Ma^y of England petitioned for a Countrey in the parts of America which was not seated

Liber H. H.

and taken vp before onely inhabited (as hee saith) by a Certaine Barbarous people the Indians. Vpon which ground his Royall Ma^{ty} did grant and Confirme the said Pattent

But now whereas our Sowth River of Ould called Nassaw River of the New Netherlands (by the English sirnamed Delaware) was taken vp appropriated and purchased by vertue of Commission and Grant from the High and mighty States Generall of the vnited provinces long before. Therefore is his Royall Ma^{ties} intention and Justice not to haue given and Granted that parte of a Countrey which before was taken in possession and seated by the Subiects of the High and Mighty States Generall of the vnited Provinces as is declared and manifested heretofore. Soe that the Claime my Lord Baltimores Pattent speakes of, to Delaware Bay or a part thereof, in severall other respects and punctuallity is inuallid. Of which wee desire that Notice may be taken actum as aboue
Augustin Herman
Resolved Waldron.

p. 59 Which being read the said Augustin was asked whither they had here any Pattent or Coppy of a Pattent from the States Generall of the new Netherlands or not, to which hee answered hee had not any. Wherevpon the Councell resolved to take noe notice of that paper, and ordered the answere to be engrossed, and so aiourned till next Day three of the Clock afternoone.

October the 8th

Present As yesterday.

The answere was tendred to the Councell but there being some Errors in the Clarkes Copy aiourned till next morneing

October the 9th present as the 7th

The Embassadors being come the letter was signed by the Governor, and by the appointment of the Councell by the Secretary, in their name and Dated (vizt). Given at Patuxent the 9th of October 1659, and soe delivered to the said Embassadors.

[Correspondence with Virginia.]

Gentlmen.

Coll^l Scarburghes
lere to the Governor.

The Governor Comanded me transmitt his Letter, and giue yow notice how I intended to proceede in the present warr. That if yow also proceede therein

it may be done to most advantage. I shalbe on my march ten daies hence, and doe intend to settle a Garrison on the Sea Side soe were as I may with Convenience to the head of Wiccocomoko River on the Easterne Shore, the Enemy is harder to find then Conquer, therefore a necessity of Continuance in the heart of his Countrey, that hee may neither plant Corne hunt, or ffish soe make him poore and famish him. Course must also be taken to prevent other Indians from receiueing those with whom wee warr, and for the present intend warr with noe more then wee may well deale with

If yow thinke fitt to prosecute this Designe on the Easterne Shore yow may informe yourselues of the Convenientest place, which for soe much as I apprehend is the head of Wiccocomoko River, and for the present it may be best onely to Designe warr against the Assateges and to awe the Nanticocks and Wiccocomico's with Confederats that they neither aid nor receiue the Assateges or Assistants, and the worke don with them yow may giue what lawes yow please to Nanticoke, and the rest, or if warr on them yow wilbe settled and knowne in their Countrey soe better able to deale with them, yow may expect all Compliance and aide from me that 300 men 60 horse p. 63 sloopes and other things necessary for warr may admitt, nor shall J want for as many more to relieue these men, and Continuall supplies, I presume your owne intrest and reasons politicall will informe, that if now yow stand idle there is not such another advantage to be hoped for beside ill Consequences attending your neglect of this oportunity. Of which I pretend not to advise yow, but if I may be any way Serviceable Command
Your very humble Servant
from Occahannock
Edm Scarborough.
this 28th of Aug. 1659.

For the honno^{ble} Governor and Secretary
of Maryland. These.

Sr

Samuel Mathewes Esqr
Governor of Virginias lerr
to the Governor.

The Concearne of saftie depending on those persons in trust hath directed the Intelligence of our present designes against the Assatage Indians and Confederats, which wee haue accommodated with sufficient forces now presumeing the advantage of this opportunity lying before yow reasons politicall will press your Endeavours to assault the Comon Enemy who soe long triumphed in the ruines of Christian bloud the Warr on the Sea Side wilbe on our parts prosecuted, and if the Nanticoke and Confederats be the Subiect of your like Designe, it may if not vtterly extinguish yet sufficiently Subiect the In-

Liber H. H. solencies of those Indians who now despise the English honour:
vse and improue this from

Aug 24th 1659.

Your humble Servant
Samuel Mathewes
For the honno^{ble} Josias ffendall
Governor of Maryland. These.

Honored Sr

The Governors answer
to the Governor of Virginia

I haue iust now receiued a Letter of
yours bearing date the 24th of August,
the Messenger affirming that the letter came but the last Night
to Nemeny so that it hath bine full a moneth in comeing from
yow thither: by which meanes it hath as yet hindred me from
shewing my readiness to ioine with yow in a Designe soe
honno^{ble} as I hope this will proue which yow haue now in hand.
p. 61 Yet because I am not willing rashly to run vpon any thing, and
especially the beginning of a Warr, Bee pleased not to take it
amiss, though I forbear to giue yow my positue answer what
I will doe vntill I haue first called my Councell together, and
with them considered what is fitt by vs to be don w^{ch} I will not
faile within ten dayes to doe, and then immediatly give yow
notice of our intentions: Till when and ever after assure your-
selfe yow shall find me both to your selfe and the Generall
Jntrest of Virginea
from my Howse in Mary- Your faithfull freind & Servant
land the 24th of September 1659. Josias ffendall

Sr

The Governors fur-
ther answer to the
Governor of Virginia.

I haue Communicated yours of 24th of
August last together with the other by your
Order, by Collonell Scarburgh written. 28th
of the same moneth, vnto the Councell Vpon Consideration of
which, according to my promise I retourne yow this Answer.
first that it appeareth to vs onely that yow intend a Warr vpon
the Assateg Indians, but the Cause of that Warr yow doe not
informe vs of, Next that Wee doe not find that either yow or
Collonell Scarburgh doe desire our assistance and but vpon
such request wee cannot see how wee without knowledge of
the Cause of your falling out can in iustice attempt any thing
against the Assategs vnprovoked or iniured. wherefore Sr Wee
shall desire that vpon your prosecution of the warr yow will
lett vs knowe your Resolution, the Cause of your Warr, and the
necessity yow shall haue of our Assistance, and vpon all honno^{ble}
and iust occasions yow may be Confident of all due Compliance
with your Desires And Soe Rest

from Patuxent 9th of
October 1659.

Your humble Servant
Josias ffendall
For the honno^{ble} Samuell Mathewes Esq^r Captaine
Generall & Governor of Virginea. these

At a Councell held in the Resurrection
Mannor December 12th 1659.

Liber II. II.
p. 64

Present The Governor } Luke Barber & }
 Secretary. } Baker Brookes } Esq^{rs}

Resolved

That Writts shall issue out for summoning an Assembly to
meete on the Last Tuesday in february next, & that the writts
issue vnder the Seale of the Province

To the honno^{ble} the Governor & Councell &c

The humble petition of John Abington on the
behalfē of Capⁿ Thomas Cornwaleys.

Sheweth

That the said Thomas Cornwaleys departing this Province,
did vpon the second of June 1659. Constitute Richard Hotch-
keys his whole and sole Attorney of the Estate of the said
Cornwaleys soe to dispose as by the said Letters of Attorney
is limitted and appointed now ready to be produced. That the
said Hodgkeys is since dead, and hath constituted and
authorized your Petitioner with the same power that hee him-
selfe had as by writting vnder his hand dated the 15th of
October last appeareth. That the said Cornwaleys by his
letter dated the 27th of Iuly to the said Hotchkeys directed
hath appointed your petitioner to receiue Tobaccoes for the vse
of him the said Cornwaleys

Now soe it is that the severall Debtors to the Estate
of the said Capⁿ Thomas Cornwaleys doe refuse to pay
any Tobacco to your Petitioner vpon the accompt of
the said Cornwaleys as not conceiuing him thereto
sufficiently impowered Wherefore your Petitioner desires
the Opinion of the honno^{ble} Board, and such order vpon
Consideration of the whole matter as the same shall
require, and be for the Preservation of the said Estate.
And your Pet^r shall pray &c.

Vpon reading of this petition of John Abington for and on
the behalfē of Capⁿ Thomas Cornwaleys, And vpon Consider-
ation that this Board is intrusted with secureing the Rights
(lying within this province) of all men, and of the letter of the
said Capⁿ Cornwaleys dated 27 of Iuly in the petition men-
tioned. The Board doe allow the said John Abington as
sufficiently impowered by the said Capⁿ Thomas Cornwaleys
for the receiueing and recovering any Tobacco or other
Debts due and owing to the Estate of the said Cornwaleys

Liber H. II. And Doe hereby Order him the said Abington to take and receiue the whole Estate whither Servants Cattle Goods Horses Debts or otherwise into his possession soe to order and dispose of them as shall by Letters and Instructions this Yeare receiued or to be receiued from the said Cornwaleys be ordered and appointed

Locus x Sigilli By the Commissioners for ordering and mannadging the affaires of the Admiraltj & Navy

In Pursuance of an Order of his Highnes the Lord Protector and Councell of the 23th of December 1658 These are to will and require yow to permitt and suffer the Ship George of Bantry in Ireland burden two hundred Tuns or thereabouts whereof Jacob Van Slodt is Master, and Collonell George Walters of Bantry aforesaid Daniell Arthur of London marchant, Lancelott Stepney, and ffrancis Creagh of Ireland John White & Andrew Creagh resident in Amsterdam, and ffrancis Waters and ffrancis Arthur of Barbadoes are owners and ffreighters, bound from Amsterdam to Virginia Barbadoes or any other of the Caribda Jlands to Pass to any of the said Places with her goods and Cargoe, and to retourne from thence with the proceede of the said goods to England Amsterdam or any other Porte in amity with this Commonwealth, without any lett hindrance or molestation Whereof yow are not to faile. Given vnder our hands and Seale at Whitehall this Sixth day of Ianuary 1658

To all Capitaines and Comanders of ships in the service of this Comon-
Wealth, and to all privat men of
warr and others whom this may
concearne.

Phi Jones Ed. Salmon
John Clerke Tho Kelsey
Robert Beake.

Jnt Ro: Blackborne Sec^{ty}

This Pass is Registred in the high Court of the Admiralty of England by order of the said Court this tenth day of Ianuary 1658 English Style

Samuel Howe Deputy
Register.

p. 66. Wm Hollinsworth

St Mr Hollinsworth hath desired of me leaue to trade with the Indians w^{ch} I haue graunted him and doe by these authorize and impower yow to draw him a Commission for that purpose as also to fix to it the great Seale of the Province and to sett to it my name, which shalbe

as authentick as if J myselfe had don it Giuen vnder my hand Liber II. II.
this 16th day of Ianuary 1659

Josias Fendall

To Philip Calvert Esq^r
Secretary of State.

Licence to the said
Hollinsworth to
trade &c.

Cæcilius &c. To all Persons &c Greeting
&c. Wee reposing &c. in W^m Hollinsworth
Doe hereby Giue and Grant &c. provt in the
Licence to Coll^l Nathaniell Vty vsque ad And we doe hereby
authorize & impower &c w^{ch} was left out, Giuen &c the 25th
Day of Ianuary in the 28th yeare &c. Annoque Dñi. 1659.
Wittnes. &c.

At a Councell held at M^r Robert Slyes howse
in Saint Clements Mannor in Saint Maryes
County on ffryday 2 Marcy 1659

The Governor Josias Fendall Esq^r,
Phillip Calvert Esq^r Secretary
Thomas Gerrard Esquier.

Present: Coll John Price
Robert Clarke Esq^r
Collonell Nathaniell Vtye
Baker Brookes Esq^r
Doctor Luke Barber

Captaine Samuell Tilghman came and demanded his Admiralty parte of the S^t George of Amsterdam, Capⁿ Cooke vrged he seized her, as having taken her, and Craues a Reference to examine Wittnesses, Reference granted to the next Councell.

At a Councell held at Bushwood M^r Slyes howse on
Saturday the third of March 1659

Present as yesterday.

Came William Coursey Sherriffe of Calvert County, and desired to be dismissed of his Office which was granted him.

Then was read his Lo^{ps} Letter directed to his Lieutenant and Councell dated 12 of October, and directed to the Secretary, touching the Mint as followeth. viz.

After my hearty Commendations &c. Haueing with great paines and Charge procured Necessaries for a particular Coyne to be Currant in Maryland, a Sample whereof in a peece of a shilling a Sixpence and a Groate J herewith send yow, I recommend it to yow to promote all yow can the dispersing it, and by Proclamation to make Currant within Maryland for all pay-

Liber H. H. ments vpon Contracts or Causes happening or arising after a
 p. 67 day to be by yow limited in the said Proclamation, And to procure an act of Assembly for the punishing of such as shall Counterfeit the said Coyne, or otherwise offend in that behalf: according to the forme of an Act recommended by me last yeare to my Governor and Secretary, or as neere it as yow can procure from the Assembly, and to giue me your advice next yeare touching what yow thinke best to be further don in that matter touching Coyne, for if encouradgment be giuen by the good success of it this yeare there wilbe abundance of adventurers in it the next yeare

Mr Thomas Gerrard by his Letter this yeare to me, hath informed that a Charge haueing bene put in against him in the Court by my Attorney, and he ready to defend himselfe, the Suite is Lett fall, which he saith is but a small satisfaction to him, and desires my leaue to absent himselfe from the Councill, vntill he haue some reparation in his honnor, which is but reason why hee should haue, and that he should not sitt in the Councill while his reputation lyes vnder any blemish, therefore yow shall doe well, if hee shall desire it from yow, to examine the Complaints that are against him, and according to the meritt of the Cause acquitt or Censure him

To the End the Act touching Religion may be inviolably observed both in the Provinciaall and all inferior Courts of the Province, I haue caused some coppies of it to be printed, and sent over to yow, one whereof I would haue sett vp in some convenient place of the Roome where any Court shalbe held in my Province sometyme afore the Court breake vp, And I strictly require and enioyne you to maintaine that Act and proceede in all your Courts exactly according to it, and to see that all Commissioners in their County Courts doe soe too.

I perceiue by some letters of this yeare that there is a question moved by some whither ffellons goods are not included in or vnder those words in the Grant of a Mannor (proffitts most vsually belonging to Mannors in England) which because it may perhaps come to be questioned in the Court there, I thinke it fitt to preacquaint yow that ffellons are noe proffitts either most vsually or at all belonging to any Mannor in England in vertue of its being a Mannor, but is and must be granted by speciall favor, and speciall words, and is many tymes granted to some in other mens Mannors, and hereof I require yow to take notice if ever the Cause should happen to come afore yow.

p. 68 As to the Detch Prize I would haue noe further sentence or Execution given in it till yow heare further from me, nor any of the goods disposed of vnless it be such as are like to suffer harme by keeping, and to dispose of them for the best

advantage of them to whom they shall appeare hereafter of right to belong, and to keepe due accompt of what hath bene or shalbe disposed of, Liber H. II.

London 29th September

Your very Loueing freind

1659.

C Baltemore.

To Capⁿ Josias Fendall my Lieutenant of Maryland, and to the rest of my Councell there.

Maryland.

J sent a Sample of the Maryland money with directions for the procureing it to pass because J vnderstood by letters this yeare from the Governor and yow and others that there was no doubt but the people there would accept of it, w^{ch} if wee find they do, there wilbe meanes found to supply yow all there with money enough: but though it would be a very great advantage to the Colony, that it should pass Currant there, and an vtter discouradgment for the future supply of any more, if there be not a Certaine establishment this yeare and assurance of its being vented and Currant there. yet it must not be imposed vpon the people but by a lawe there made by their Consents in a Gennerrall Assembly, w^{ch} J pray faile not to signifie to the Governor and Councill there together from me by shewing them this letter from

London 12 October

Your most affectionat
brother

1659.

C: Baltemore

To my most affectionat loving brother Philip Calvert Esq^r at Saint Maryes in Maryland.

At the same Councell the 5th of
March 1659. at M^r Syles howse in S^t
Clements Mannor in S^t Maryes County.

Present Josias Fendall Esquier Governor, Philip Calvert Esquier Secretary, Robert Clarke Esquier Thomas Gerrard Esquier, Collonell Nathaniell Vtye and Baker Brookes Esq^r

It is this day ordered (M^r William Coursey being on Saturday last at this Court discharged of his Office of Sherriffe of Calvert County) that the Commissioners of the County Court of the said County doe giue the Oath of Sherriffe to M^r Giles Sadler well and truely to execute the said Office of Sherriffe of that County till further order therein to the Contrary. and that they take Security of him the said Sadler for his Comportm^t behaviour and iust execution of that his said Office. p. 69

Liber H. H.

At a Councell held at M^r Syles Howse
the 7th of March 1659.

Present Iosias Fendall Esquier Governor Philip Calvert Esq^r
Secretary Robert Clarke Esquier Doctor Luke Barber, Baker
Brookes Esquier & Collonell Nathaniell Vtye.

The treasurer informed the Board that vpon makeing vp his accompt with M^r Gerrard about his Rent hee found a discharge for one yeares Rent of Saint Clements Mannor giuen by M^{ris} Margaret Brent and for one yeare before hand vizt for the yeare to be ended at Christmas 1649 And Craued iudgm^t whither hee should allow it vpon the accompt or not.

And the Judgment of the Board was that he should allow the said yeares Rent vpon the accompt of the said Thomas Gerrard.

P. 73 Cæcilius absolute Lord and Proprietary of Maryland and Avalon Lord Baron of Baltemore &c. To our Right Trusty and welbeloved our Lieutenant of Maryland for the tyme being And to the Rest of our Councill and other Officers Millitary or Civill there Greeting Whereas Captaine James Neale hath formerly beene an Inhabitant in Maryland, But vpon certaine occasions of his owne hath bene absent some yeares from thence, and is now desirous to retourne thither againe with his family there to reside Knowe yee that Wee doe hereby giue him free liberty there to inhabitt and to possess any such lands as he hath right vnto or Can lawfully Clayme there paying the Rents and arreares of Rent due to vs for the same. And Moreover Wee doe hereby giue him free liberty to enter into any of our Ports there, and there freely to trade by himselfe or his Agent or Agents with any ship or ships which hee may build or procure for Tradeing in those parts. Provided that at his or their arrivall there hee or they repaire to yow our said Lieutenant, and there Record his said Ship or Ships as Vessells belonging to that Province. And that hee the said Captaine James Neale or his Agent or Attorney pay such Duties as others vsually pay for soe tradeing there And provided also that hee or his Agents do not trade with any Indian or Indians in or through our said Province without license first obtained for the same from yow our said Lieutenant vpon such tearmes and conditions as others pay and performe for such tradeing, Hereby willing and requiring yow our said Lieutenant and Councill and all other our Officers Millitary, or Civill within our said Province well and truely to obserue and obey this our warrant and Comand in admitting and protecting the said James Neale or his lawfull Agent or Agents in any lawfull Act or thing which they or any

of them shall doe in pursuance of the premisses contained in this our warrant. Given vnder our hand and greater Seale at Armes this Nynth day of January in the Eight and twentieth yeare of our Dominion over the said Province of Maryland And in the yeare of our Lord God 1659.

Liber H. H.

Copia vera Ex^d

C Baltemore

p Cecill Langford.

Depositions concerning the Lord Baltemore.

20. June 1660.

P. R. O.
Colonial
Papers, Vol.
XIV, No. 12

Myles Cooke of London Mariner aged thirty six yeares or thereabouts maketh oath that in Aprill last, Josias Kendall Governor of Maryland under the Lord Baltemore, did rayse a faction against his Lordship's Jurisdiction there and endeavour to change the Government into the forme of a Commonwealth to the great prejudice of his Lordship's Rights and the endangering of a great deale of trouble and confusion among the people there if not tymely prevented, which he knoweth to be true he being Master of a shipp then trading there.

Miles Cooke

Sworne the 20th of June
1660.

Na. Hobart.

Samuell Tilghman of London Marriner aged forty ... yeares or thereabouts maketh oath, that about the latter end of March last, Josias Kendall Governor of Maryland under the Lord Baltemore did rayse a faction against his Lordship's Jurisdiction there and endeavour to change the Government into the forme of a Commonwealth to the endangering of a great deale of trouble and confusion among the people there if not tymely prevented, which he knoweth to be true, he being Master of a shipp then Trading there.

No. 12, 1

Sam: Tilghman

Sworne the 29th of June 1660.

Na. Hobart.

Trustie and welbeloved Wee greet you well, Whereas it appears unto us by severall Depositions, That one Josias Fendall late Governour under the Lord Baltemore of our Province of Maryland hath raised a faction within the said Province against the said Lord Baltemore's rights and Jurisdiction there, Wee therefore at the humble request of the said Lord Baltemore to protect him in his just rights doe heereby will and require you and every of you to be ayding and assisting to his Officers in settling his Jurisdiction there, as it was in January last accord-

British Mu-
seum.
Egerton
MSS. 2542,
fol. 477.



British Mu-
seum.
Egerton
MSS. 2542,
fol. 477.

ing to his Pattent of the said Province from our Royall Father
of Blessed memory, wherein you shall doe us acceptable service.

Given att our Court att White Hall the day of
in the twelfth yeare of our Reigne

To the Governour and Councell of
Virginia and to all Captaines and
Masters of shippes Trading to Maryland
and to all Magistrates and Officers
and other our Subjects in those parts.

CECILIUS CALVERT, LORD BALTIMORE,

Proprietary.

PHILIP CALVERT,

Governor.

1660-1661.

[Commission to Governor Philip Calvert.]

Liber II. II.

P. 74

Cæcilius Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Barron of Baltemore &c To all the Inhabitants and people in Maryland And to all others whome theis presents shall come &c any way concerne Greeting Whereas Josias Fendall late Constituted by vs our Leivetenn^t of Maryland hath contrary to his oathe and truste deserted his said office & Surrendred his Com^{on} from vs for the same to a pretended Assembly there and taken it from them, and other-ways raysed mutiny and Sedicōn ag^t our Governm^t and Jurisdiccon there Knowe yee That wee have revoked and Determined and by theis presents Doe Declare That wee Doe hereby revoke and absolutely determine all former Com^{ons} granted vnto the said Josias Fendall concerning the Governm^t of the said Province as alsoe all form^r Com^{ons} to any other person or persons to be of our Councell there And haue thought fitt to Constitute nominate and appoynte And Doe hereby constitute nominate and appoynte our Deare Brother Philip Calvert Esq^r our Leivetenn^t and cheife Governor vnder vs of our said Province To haue and to hould the same during our pleasure in as ample manner to all intents and pourposes as was formerly Granted by vs vnto Captaine William Stone or the said Josias Fendall And wee doe hereby further authorize our said Brother to nominate Constitute and appoynte from time to tyme such and soe many to be of our Councell of our said Province as he shall thinke fitt, and to haue the like and as ample authority priuiledges and advantages as those of our counsell formly had there till Wee Declare our pleasure to the Contrary And wee Doe further hereby authorize our said brother to appoynte such person or persons for whome he will be responsible as he shall thinke fitt to be our Secretary and Receivor Generall there for the p^sent till our pleasure be further knowne therein and to Cause all Rents arreares of Rents and all other dues belonging to vs in our said Province to be for our vse Demanded leavyed and payd to our said Receivor soe to be nominated and appoynted by our said Brother and to be afterwards disposed off according to such Instruccons, or Direccōns as wee haue or shall give to him our said Brother for that purpose Given vnder our hand and Greater Seale at Armes the foure and twentyth Day of June in the nyne and twentyth yeare of our Dominion

Liber H. H. over Maryland And in the yeare of our Lord God One thousand Six hundred and Sixty.

C Baltimore

p. 75

Entries made since the honno^{ble} Philip Calvert Esquier came to be Gouvernor of this Prouince.

Cæcilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore &c To our Right Trusty and welbeloued Collonell William Euans

Knowe yee That Wee reposing Especiall Trust and confidence in the good Conduct vallor Dilligence and integrity of yow Collonell William Euans, Doe hereby nominat Constitute and appoint yow the said Coll William Euans Collonell of the traynd bands in Saint Maryes County in the said Province of Maryland. Giueing and hereby Granting vnto yow the Said Coll William Euans full power and authority to take and receiue the said Charge and imployment upon yow and the same to haue hould vse exercise and enioy in as large ample and benneficiall manner as the said Collonell John Price or any other Collonell of the said Regiment heretofore vsually exercised and enioyed the same Together with all proffitts Rights and bennefitts thereunto belonging, And yow are to obserue and obey such further Orders and Instructions as yow shall receiue from vs, or our heires or our Lieutenant or other our Officers there Commanding in Chiefe in our absence from tyme to tyme. Giuen vnder our Privy Signett the 31th day of October in the Nyne and twentieth yeare of our Dominion over the said Province of Maryland Annoque Domini 1660 Wittnes our Trusty and welbeloued Brother Philip Calvert Esquier our Lieuten^t of our said Province of Maryland

The like then was made and deliuered to Lieutenant Colloneil John Jarbo to be Lieutenant Colloneli of the said Regiment.

By the Gouvernor of Maryland

p. 76 Whereas Josias ffendall hath contrary to his Trust raised Sedition within this Province endeavouring asmuch as in him lay the Disherison of his Lop the Lord Proprietary thereof. His Lop well knowing Noe people can long liue in Peace without Governm^t and studdying the peace of the Jnhabitants of this Province hath constituted me his Lieutenant thereof In pursuance of which power soe to me Committed. I Doe hereby Comand all persons whatsoeuer within this province to yeld their ready obedience vnto me his Lieuten^t here, as they shall answere the Contrary at their perills Giuen at the Indian Quarter nere Newtowne this Nynteenth day of Nouember 1660

[Proclamation of Charles II.]

Liber: H. II.

By the Gou^r & Council of Maryland

Another proclama-
tion of the kings.

Although it Can noe way be doubted, but that his Ma^{ties} Right and Tytle to his Crownes and kingdoms is and was every way compleated by the death of his most Royall father of Glorious memory without the Ceremony or Sollemnity of a Proclamation. Yet Since Proclamations in such Cases haue bene allwaies vsed To the End that all good Subjects might upon this Occasion testify their Duty and respects, And since the armed violence and other the Calamities of these many yeares last past haue hitherto depriued vs of any such Opportunity wherein wee might express our loyalty and allegiance to his Ma^{ty} Wee therefore the Gouvernor, and Council of this Province of Maryland, and other his Ma^{ties} loyall Subiects here present By the speciall order and authority of the Right honno^{ble} the Lord Proprietary of this Province, Doe according to our duty and allegiance, heartily ioyfully and vnanimously acknowledge and proclaime, that immediatly upon the decease of our late Soueraigne Lord King Charles the Imperiall Crowne of the Realme of England and of all the kingdoms Dominions and Rights belonging to the same Did by inherent birthright, and lawfull and vndoubted Succession descend and come to his Most Excellent Ma^{ty} Charles the Second as being lineally, iustly and lawfully next heire of the blood Royall of this Realme, And that by the goodnes and providence of All mighty God Hee is of England Scotland ffraunce and Jreland the Most Potent Mighty and Vndoubted King Defender of the faith &c, And therevnto Wee most humbly and faithfully doe submitt, and oblige our Selues our heires and Posterities for Euer Dated the Nynteenth day of Nouember 1660.

God Saue the King
and the Lord Proprietary
Philip Calvert.

These are in the Lord Proprietaryes name to will and require yow to warne the Inhabitants of the Jsle of Kent County to appeare at the Court howse on the said Island, where yow are to publish the Proclamation of King Charles the Second, as also to publish the other Proclamation which requires the Peoples Obedience to the Lord Proprietaryes Gouernment vnder me his Lieutenant. And for soe doing this shalbe your warrant Giuen at Saint Maryes this 23th of No: 1660

Philip Calvert

To the Sherriffe of Kent
County.

Liber H. H.

Philip Calvert Esquier Gouvernor of this
Prouince of Maryland

To Baker Brook, John Bateman and Henry Cousey gent.
Greeting.

Whereas by Commission from the Right honno^{ble} the Lord Proprietary of this Province of Maryland to me directed for the Government of the same thereby giuing me power to appoint Councillors Maiestrats and other Officers for the Conservation of the Peace and Gouvernment of the said Province In pursuance whereof J doe appoint yow the said Baker Brookes, John Bateman and Henry Coursey to be of his lo^{ps} Councill of State for this Province And doe hereby Giue full power to yow, and euery of yow to issue writts and award process in all matters relateing to the good Gouvernm^t of this Province And J doe also Giue to yow and euery of you full power to Act and Doe all manner of thing and things which vnto the Office of a Justice of Peace doth belong Giuen at Saint Maryes this 23th of Nouember 1660

Philip Calvert.

yow are to suñion all persons able to beare armes betweene Hugh Hopewells and Barnaby Jacksons to come with yow to my howse tomorrow being the 28th Nouember with their Armes. Giuen vnder my hand and Seale this 27th of Nouember 1660

Phil: Cavert.

To Richard Collett

Captaine Thomas Brookes haueing a good prooffe of your fidellity and readines to doe my brothers service in preseruing the Countrey in peace. J doe hereby order yow to raise the greatest number of men yow can, and wth them to march away to the Mill imediatly where yow shall receiue further order from me

The like to Captaine Odbvr

The like to Lieutenant John Bogue.

p. 78

By the Gouvernor of Maryland

Whereas his Ma^{ty} by his letter bearing date the third day of Iuly in this the twelfth yeare of his Raigne hath bene graciously pleased to Comand all Magistrats and officers and all other his Subiects in these parts to be ayding and assisting to the ReEstablishment of his lo^{ps} iust Rights and Jurisdiction within this Province, A Coppy whereof J herewith send yow, In pur-

suance of his Maties said letter and the Commission to me thereupon directed. These are in the name of the Lord Proprietary to will and require yow forthwith to make your repaire to the howse where the Court hath vsually bene kept in Charles County, and there to reade, or cause to be read openly the said letter from his Ma^{ty} Together with the Proclamation of his Ma^{ty} and afterwards those other two for comand-ing Obedience to his lo^{ps} Gouvernment vnder me his Lieutenant here, and of Pardon to the Inhabitants of Charles County And for soe doing this shalbe your Warrant Giuen vnder my hand and Seale this 27th day of Nouember 1660 Yow are to make retourne of this Warrant within fflower and twenty howers after yow haue executed it

To M^r William Barton

Phill Calvert.

Liber II. II.

Which Commission was retourned executed.

[General Pardon.]

Proclamation
By the Gouvernor & Councill of Maryland

P. 79

Whereas Josias Fendall late Gouvernor of this Province of Maryland hath contrary to his Oath and Trust raised Sedition against the Gouvernment of the Right honno^{ble} the Lord Proprietary, And whereas the King's Most Excellent Ma^{ty} in protection of his Lo^{ps} iust Right hath bene Graciously pleased by his Letters directed to the Gouvernor and Councill of Virginea and to all Captaines and Masters of Ships tradeing to Maryland And to all Magistrats and Officers, and other his Maties loyall Subiects in these parts to require them to be ayding and assisting to his Lo^{ps} Officers in the settlment of his Lo^{ps} Jurisdiction here, ffor avoiding of Bloudshed, And least apprehension of Guilt and punishment should engage persons otherwise Capable of his Lo^{ps} mercy in Second and vnardonable Crymes, J Doe hereby in his lordships name Proclaime a ffree and Gennerall Pardon to all persons now inhabiting and residing within Charles County who were engaged in the late Mutiny and Sedition for any Cryme by them Committed in the said Mutiny (Except Josias fendall and John Hatch, Provided they Doe imediatly Submitt to his lordships Government now established vnder me his lordships Lieutenant and other his Officers here Giuen at Saint Maryes vnder my hand this 27th day of Nouember 1660

God Saue the Lord Proprietary
Philip Calvert.

Liber II. H.

[Proceedings in Fendall's Case.]

At a Councell held at Saint Maryes the 29th of Nouem. 1660
Present

Philip Calvert Esquier Gouvernor, Henry Coursey Secretary,
Robert Clarke and Baker Brooke Esquiers

Then Came Josias Fendall and submitted himselfe to the
Gouernment of the Lord Proprietary, and professed to doe for
the future what lay in his power for the settlment of the
Countrie in Peace.

Whereupon he being Ordered to withdraw the Gouvernor
produced his lo^{ps} letter of the 24th of August, and out of it
read his directions for the proceeding of the Gouvernor &
Councill ag^t the said ffendall and his Complices (vizt)

p. 80 Touching your proceeding with ffendall and his Complices
J would haue yow proceede against such of them as yow shall
not thinke fitt to pardon, by inflicting upon them paines of
death or any other punishment as the Prouinciall Court shall
adiudge, yea, if there be neede yow may proceede against
them by Martiall lawe, and in a Court Martiall, and upon no
tearmes to pardon ffendall so much as for life, nor if yow can
doe it (without hazarding the regaineing of the Province, to
pardon so much as for life any of those that sate in the Coun-
cell of warr at An Arundell, and Concurred to the Sentence of
death against M^r Eltonhead, or other of my honest freinds then
and there murthered, and haue now againe engaged against
me in this Second Rebellion, but to doe Justice upon them,
and J shall iustify yow in it, And if yow shall thinke fitt to
pardon Gerrard or Hatch for life or Member, yet not to pardon
either of them for loss of Estate or bannishment out of the Pro-
vince vnless yow find it necessary for the Resettlment of my
Right, and the publick peace there, And this J hope is a posi-
tiue directions, and such J haue bene allwaies carefull to giue
as nere as J could Soe as J knowe not what they meane that
Say J use to leaue my selfe a hole to gett out at, for in direc-
tions at this distance something wilbe allwaies fitt to be left to
the discession of them upon the place, and the way which
upon such reasons is at any tyme left by me to their discessions
is left to them not to myselfe. If yow cannott otherwise reduce
ffendall I thinke yow may do well by proclamation to giue a
considerable reward to any that shall bring him aliue, or his
head to yow to be paid out of his Estate, or rather then faile
out of my Revenue there, And the like for Gerrard or others
as yow shall see Cause, But for the Gennerallity of the People
excepting the persons abouementioned I thinke yow shall do
well and I will haue yow to proclaime a Gennerall Pardon to
all of them that shall submit to my Jurisdiction there forthwith

upon the publication of the said Proclamation, and not Act any thing afterwards against it, or my Right there. Liber II. II.

After which they tooke into debate what was fitt to be don with the said ffendall, considering his former Crymes, and som bad expressions of the said ffendall in a letter to the Gouvernor dated 20th of Nouember implyedly menacing force, if hee might not haue such tearmes as he in his letter to the Gouvernor proposed as also of some other words lett fall by the said ffendall since his coming downe to Sainst Maryes to Nicholas Young and John Abington gentlmen Sauouring of force intended by him, and after matters fully argued it was putt to the Vote (vizt)

Whither shall the said ffendall be Committed Prisoner to the Sherriffe or not

And it was Voted by the Board in the affirmatiue.

Whereupon it is Ordered that the said ffendall be committed to the Custody of Nicholas Guyther Sherriffe of Saint Maryes County, there to be detained Close prisoner till further order from the Gouvernor and Councill p. 81

Cæcilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltemore &c. To the Sherriffe of Saint Maryes County Greeting Whereas Josias ffendall hath contrary to his Oath and Trust raised Sedition within this Province, And notwithstanding his Ma^{ties} Letter comanding the restitution of vs to our iust Rights according to our Pattent, hath by word and letter vnder his hand implyedly menaced force ag^t our Government within this Province, And being otherwise a dangerous person not fitt to be at liberty in these distracted tymes, Wee will and Comand yow therefore to receiue into your Custody the said Josias ffendall there to remaine vntill further Order from our Gouvernor and Councill. Wittnes our Deare brother Philip Calvert Esquier our Lieutenant of our Said Province of Maryland the 29th day of Nouember 1660

Philip Calvert.

[Letter of Governor Calvert to Governor Berkeley.]

Sr

It is not long since J receiued the enclosed with Comand from my brother Baltemore to see them speedily Conveyed vnto yow, Which if J haue not done with the expedition required J assure yow J haue less satisfied my owne desires then his Comands which haue allwaies bene to haue appeared early in the Congratulations of his Ma^{ties} reinthronement, and your owne restauration to the Government of Virginea, But as

p. 82

hereby Declare him the said Augustine Herman to be a free Denizen of this our Province of Maryland, And Doe further for vs our heires and Successors straightly Enioyne Constitute Ordaine and Comand that the said Augustine Herman be in all things held treated reputed and esteemed as One of the faithfull People of vs our heires and Successors borne within this our Province of Maryland, And likewise any lands Tenements Revenues Services and other hereditaments whatsoever within our Said Province of Maryland may inherit or otherwise purchase receive take have hold buy and possess, and them may occupy and enjoy giue Sell alien and bequeath, as likewise all Liberties, franchises and Priviledges of this our Province of Maryland freely quietly and peaceably have and possess occupy and enjoy as our faithfull People borne or to be borne within our said Province of Maryland without the lett molestation Vexation trouble or Grievance of vs our heires and Successors any Custome to the Contrary hereof in any wise notwithstanding. Given at Saint Maryes Vnder the Great Seale of our said Province of Maryland the fflowerteenth day of January in the Nyne and twentieth yeare of our Dominion over the said Province of Maryland Annoque Domini One thousand Six hundred and Sixty. Wittnes our Deare brother Philip Calvert Esquier our Lieutenant of our said Province of Maryland.

Liber II. II.

P. C:

Philip Calvert &c. To Luke Gardner Greeting as in the Comⁿ to L^t John Jarbo fo: 24 mutatis mutandis, (Onely this vizt) Appoint yow Lieutenant vnder Coll W^m Euans of the foote Company by him to be raised betweene Wiccocomako Riuer and Brettons Bay excluding the East Side of the said Bay, them to &c. Giuen vnder my hand and the lesser Seale of this Province this 28th of January in the 29th yeare of his Lo^{rs} Dominion over this Province Annoque Dm 1660.

[Proceedings in Fendall's Case.]

These are in the name of the Right honorable the Lord Proprietary to will and require yow to warne Josias ffendall and John Hatch forthwith to come with yow to make their appearances before me to the Prou^l Court according to their seuerall and respectiue bonds giuen to his Lo^p bearing date the 30th day of Nouember and Eight day of December 1660 Giuen vnder my hand and Seale the 28th day of January 1660.

P. C: locus x Sigilli

Liber H. H.
p. 81

At a Council held at Saint Maryes 30 January
1660. Present as yesterday.

Josias ffendall Came and tendred M^r Henry Meese marchant Security for his quiett behaiour, and to appeare to answere at the Prouinciall Court

Ordered

That in regard he rendred himselfe Prisoner and of his present Sickness the said Security be taken.

W^{ch} was taken accordingly, as by the Recognizance to that purpose more at large appeareth

Warrant issued to Daniell Clocker to keepe in safe Custody John Hatch untill he giue in Security to appeare before the Gouvernor the next or any other Prou^l Court to answere such matters as shalbe obiected against him on the behalfe of the Lord Proprietary. when he shalbe calld thereunto.

And afterwards It was thought fitt by the Gouvernor to sett him at liberty. Hee giueing in Security and entring into Recognizance for his apparance at the next or any other Prouinciall Court when notice shalbe giuen him to answere such matters as shalbe obiected ag^t him on behalfe of his lop.

And accordingly on the 8th of December 1660. Collonell Iohn Price William Wilkinson and the said John Hatch entred into Recognizance of 2000^l each of them for the appearance of the said Hatch as by the said Recognizance at large appeareth

p. 84

Proclamation.
By the Governor of Maryland.

Whereas William ffuller commonly knowne by the name of Capⁿ W^m ffuller hath for some yeares bin knowne to be a violent Incendiary and Seditious pson disturbing the Peace of the Province and endeavouring the disherison of his Lo^p the Right honno^{ble} the L^d Proprietary thereof,

And fforasmuch as the said W^m ffuller doth priuatly lurke and Obscure himselfe in vnknowne places J haue thought fitt to make the same publickly knowne to all persons and do hereby require and Comand all and singular the good People of this Province Sherriffes Constables and other his lo^ps Officers both Millitary and Ciuill to be dilligent in inquiring Searching forseizing & apprehending him the said W^m ffuller in all places whatsoever whom if they shall happen to take J doe hereby further require them that they can se him see apprehended to be Carryed to the next Justice of the Peace

whom J doe hereby straitly Comand securely to keepe him in prison, and presently informe some one of his Lo^{ps} Councill of his apprehention that so he may be safely conveyed to me to S^t Maryes Liber II. II.

And J doe hereby further declare and publish that if any person or psons after this Proclamation published conceale harbour or maintaine him the said W^m ffuller, or shall Contrive or Connive at any meanes whereby he may escape from being taken or arrested or shall not use their best endeavour for his apprehencōn as well by giuing advertisment as by all other good meanes J shall (as there is iust cause, proceede ag^t them with all Seuerity Giuen

Comⁿ issued for Capitaine Thomas Manninge p. 85
Capⁿ Tho: Maninge to be Capⁿ of all the forces betweene the Coues of Patuxent Riuer and the Herring Creeke according to the forme of a Comⁿ for a Capitaine of foote giuen to Capⁿ Euans fo 23 appeares Giuen vnder my hand & his lo^{ps} lesser Seale of this Province the 31th day of January &c 1660.

Lt ffancis Armstrong. Comⁿ likewise was drawne to L^t ffancis Armstrong to be Lieutennant to Capⁿ Tho: Manninge according to the president fo: 24 Giuen vt Supra.

Lt Randle Hanson. The like Comⁿ for a Lieutenant was granted to L^t Randle Hanson to be Lieuten^t vnder Lieutenant Collonell John Jarbo of the foote Company from Brittons bay to S^t Georges Riuer exclusiuely. dated ut Supra.

Whereas there hath beine some differences betweene Symon Overzee late of Saint Maryes deceased, and Augustine Herman marchant for the ending of which differences by way of arbitration seuerall bonds haue bene giuen by Elizabeth the Relict of the said Symon, Henry Meese marchant and John Price gent as J am informed, and whereas the said Bonds are alleadged to be forfeited for non performance of the award, and Suite Commenced by the said Augustine against the said Elizabeth Henry Meese and John Price, and now depending in the Prou^l Court. And whereas the said Augustine Herman hath made Complaint to me that one or all of the said bonds are detained from him by Robert Slye gentlman Vmpire in the said Arbitration mutually chossen desiring to haue warrant to haue the said bond or bonds deliuered vnto him thereby to make his demand good in Court to the end that Justice may in the said cause be don impartially J doe hereby in the name of the Lord Proprietary will and require yow to make your repaire vnto the howse of the said Robert Slye and there to

Liber H. II. make demand of and receiue the said bond or bonds giuen by the said Elizabeth Relict of the said Symon Overzee to the said Augustine Herman, and now in the possession of the said Robert Slye (whom I do hereby require to deliuer the same vnto yow) and the same soe receiued in your Custody safely
 p. 86 to keepe till yow shall deliuer it to Peter Bathe Clarke of the Prou^l Court by him to be deliuered to the Court when the Said Cause shalbe heard. Giuen vnder my hand this first day of ffebruary 1660

P. C.

To Nicholas Guyther Sherriffe
 of Saint Maryes County, or
 his Deputy:

Commission issued to Captaine Christopher Russell to be Captaine of the Company in Charles County late under the Comand of Capⁿ John Jenkins &c Giuen vnder my hand & lesser Seale of the said Province &c the 7th day of febr 1660

P. C:

Comⁿ issued to Capⁿ Thomas Brookes to be Maior of the Regiment now under the Comand of Coll^l W^m Euans and power to inlist for his owne Company such and so many of the Inhabitants from George Reads on the Sowthside and S^t Leonards Creeke on the Northside to the head of Patuxent Riuer, as hee shall thinke fitt Giuen &c Vnder my hand and lesser Seale of the said Province this 11th day of febr 1660. with power to choose his owne officers of his floote Company.

P. C.

Comⁿ issued to Capⁿ John Odber to be Capⁿ of all the forces from S^t Leonards Creeke to the Coues, on the North side of Patuxent Riuer and from George Reads to Cedar Point on the Sowth Side. Giuen vt supra the 11th day of ffebruary 1660

P. C:

[Emperor of Pascattoway.]

Memorandum that vpon the 20th of December in the yeare of our Lord 1660 Came the Brother of Vttapoungassenem accompanied wth the Greate men of Portoback Nangenaick and other the Indians Inhabiting that Quarter Nyne in number to me Philip Calvert Leivetennant and cheife Governor of the Province of Maryland to desire of me the Continuance of the peace formerly made with Weghucasso late Emperor of Pascattoway, tendering alsoe a present from Vttapoungassenem the present Emperor in token of his perfect freindship, where-

vpon I Desired him to knowe how Vttapoingassinem came to be King whether by Succession or Election? or by what other tytle to which he answered by the Interpreter M^r Thomas Mathews setting forth the tytle of their Kings in this manner vizt

Liber II. H.

That long agoe there came a King from the Easterne Shoare who Comanded over all the Indians now inhabiting within the bounds of this Province (nameing every towne severally) and also over the Patowmecks and Sasquehannoughs, whome for that he Did as it were imbrace and cover them all they called Vttapoingassinem this man dyeing without issue made his brother Quokonassaum King after him, after whome Succeeded his other brothers, after whose death they tooke a Sisters Sonn, and soe from Brother to Brother, and for want of such to a Sisters Sonne the Governm^t descended for thirteene Generacōns without Interrupcōn vntill Kittamaquunds tyme who dyed without brother or Sister and apoynted his daughter to be Queene but that the Indians withstood itt as being Contrary to their Custome, wherevpon they chose Weghucasso for their King who was descended from one of Vttapoingassinem brothers (But which of them they knowe not) and Weghucasso at his death appoynted this other Vttapoingassinem to be King being descended from one of the first Kings this man they sayd was Jan Jan Wizous which in their language signifyes a true King. And would not suffer vs to call him Tawzin which is the Style they give to the sons of their Kings, who by their Custome are not to succeede in Rule, but his Brothers, or the Sons of his Sisters

p. 87

After this they made knowne to me the danger they were in of the Janedoa Indians or Cinigos whoe are a potent nacōn and had lately killed five of their men and threatned their Forte for being freinds to vs and the Sasquehannoughs whoe are at warre with the said Janedoeas or Cinigos wherefore they desired that for pay they might have foure English men to helpe them make their Forte, To which J replied that J would call the Councell and after advice with them J would come vp to Portoback and there send for them and Give them my Answere

Cacilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Barron of Baltemore &c To our trusty and welbeloved Thomas Manning Gent. Vpon the speciall Confidence and truste wee repose in yo^w Wee doe hereby Constitute ordayne and appoynte yo^w to be our Attorney Generall all persons in all Causes as well Criminall as Civill to sue pursue prosecute and Implead and in our name all Suites against vs Comēced to answere as fully and amply as any

Liber H. II. Attorney Generall may doe Given at S^t Marys vnder the lesser Seale of this our Province of Maryland this twentyth Day of February 1660 Wittness our Deare brother Philip Calvert Esq^r our Leiuetennant of our said Province of Maryland.

At a Councell held at Saint Marys 26^o Februarij 1660

| | | |
|---------|--------------------------|-----------------------------|
| | The Governo ^r | } Mr Baker Brooks |
| Present | The Secretary | |
| | Mr Robert Clarke | |
| | | } Mr J ^o Bateman |

To the Right hono^{ble} Philip Calvert Esq^r Governor
of the Province of Maryland and the hono^{ble}
Councell:

The humble petition of Joseph Wicks Thomas Hinson
and Samson Waring

Most Humbly Sheweth

p. 88 That as it is not vnknowne vnto yo^r Honno^{rs} that yo^r petitioners was Members of the Assembly in March last past And however the transaccōns was carryed on in any kind ellegall itt was vn-doubtedly knowne to yo^r Honors, that it was plotted and Contrived before the Assembly was called, by persons in such power that it was beyond our Capacities to oppose although our Inclina^{co}ns and actings was intended to prevent such mischevious designs, And therefore doe most humbly request yo^r honors to make the most favourable Constructions of such thinges as yo^r Honors may conceive wee may be Justly charged with And in Clemency to remitt our offences in any Kind wherein wee are Guilty, whereby yo^r Honnors will for the future binde and Jngage yo^r Petitioners in such ferme Bond & of Due obedience as to the best of our poore abillities in any thing that wee may or ought to Serve yo^r Honors in, And be willing to our abillities to pay vnto yo^r Honor the Sume of five thousand weight of tobacco towards his Lordships charge Susteyned

And as in bound shall ever pray

Joseph Wicks
Thomas Hinson
Samson Waring.

Vpon Serious Consideracon whereof the Councell ordered
(vizt)

Impr. That they the Petitioners shall be debarred for seaven
yeares from beareing any Publike office in this Province
and shall be Incapable to Elect or to be Elected as Burgesses
to any future Generall assembly in this said Province Vnles
the Governor shall thinke fitt within the said tyme otherwise
to order

2 That the said Peticon^{rs} doe give bond of ten thousand Liber H. 11.
pounds of tobacco a peece for their Good behaviour to the
Governem^t for one whole yeare and a day

3 That the said Peticon^{rs} pay at the next Crop two thousand
pounds of tobacco a peece to the Lord Proprietary

To the hono^{ble} the Governor and Councill
of this Province of Maryland.

The humble peticōn of William Burgess

Most humbly Sheweth

That Whereas yo^r peticon^r being Elected Burgesse for the
County of Anne Arrundell aboute February last, Did really
intend nothing ag^t the Lord Proprietarys just Rights, But such
was the Subsilty of many persons there who were Members
and others which had Greate Influences in those transaccōns as
to drawe yo^r pet^r into such Grosse Errors and Ignorant follies
as yo^r pet^r hath just cause to acknowledge and Lament

The premisses Considered yo^r pet^r humbly desireth
this Honored Board to Remitt what is past; And
yo^r pet^r shall ingage himselfe for the future to spend
his life and fortunes to mayntayne his Lordships just
Interest and the peace and tranquillity of this Province

Praying for yo^r honors Welfare
William Burgess

Vpon Consideracōn had of the vsefulness of the peticon^r to
the Settlem^t of affaires, It is ordered that he be Dismissed of
imprisonm^t and pardoned without tryall or Fyne.

At a Councill held at Saint Marys 28th of February 1660 p. 89

| | | | |
|--------------|------------------------------------|---|-------------------------|
| Present | Philip Calvert Govern ^r | } | Councello ^{rs} |
| | Henry Coursey Sec: | | |
| | Rob ^t Clarke | } | |
| | Baker Brookes | | |
| | Ed LLoyd | | |
| John Bateman | | | |

Was presented the peticōn of Josias Fendall as followeth

To the Hono^{ble} Philip Calvert Esq^r Governor of the Province
of Maryland.

The humble peticōn of Josias Fendall

Humbly Sheweth

That whereas there passed an order of the Provinciaall Courte
the 27th of February for the Confiscacōn of yo^r peticon^{rs} whole

Liber II. H. Estate to the vse of his Lop. the Lord Proprietary of this Province whereby yo^r peticon^r is left wholly Destitute of a Subsistance both for himselfe, his wife and Children. And that by the same order banished for ever this his Lopp^s Province.

It is the humble request of yo^r peticon^r that yo^r Honor will be pleased to take into yo^r Gracious Consideracōn, the said and deplorable Condição of yo^r peticon^r and in mercy graunt vnto him such a proporecō of his Estate as may be a Comfortable Subsistance to himselfe and family, And likewise repeale his Banishm^t that soe he may be made Capable of enjoying such a parte of his Estate as yo^r Honor shall thinke fitt to Graunt vnto him And he will willingly give yo^r Honor security that he will neither Acte or abett any thing against the peace and safety of this Province And that yo^r will be pleased to allow him a reasonable tyme for the procurcing of such Security

And he shall as in duty bound pray &c
Josias Fendall

Wherevpon the Councell tooke into Consideracōn the said peticon and Desired that the Sentence of Banishm^t be by the Governor pardoned And that the said Josias Fendall be had held and reputed as a Freeman of this Province to all Intents and pourposes Saving that he shall not at any tyme beare office within this Province nor have voyce in Electing, nor be elected Burgesse in any future Assembly Provided he the said Fendall Give such sufficient Security as the Governor shall thinke fitt for his Good behaviour towards the Governm^t here And as to his Estate they further desired that he might have it restored in Statu quo prius (vizt) before Judgem^t passed 27th of February in the Provinciall Courte paying his iust fees to the Sheriffe and officers of the Courte and chargeing a Bill of Exchange for fifty pounds Ster. payable in London at tenn dayes Sight to some person whome the Governor shall appoynte

And further that he may haue 20 dayes tyme to Give in Security for his Good behaviour as aforesaid and that after which Security given he may haue a pardon vnder the Greate Seale according to the Intent of theis presents

All which at the Instance of the Councell
the Governor Granted.

At a Councell held at Saint Marys 28th of February 1660

| | | | | |
|---------|---|------------------------------------|---|-------------------------|
| Present | } | Philip Calvert Govern ^r | } | Councillor ^s |
| | | Henry Coursey Sec ^r | | |
| | | Ed. LLoyd | | |
| | | John Bateman | | |
| | | Rob ^t Clarke | | |
| | | Baker Brookes | | |

Was presented the peticoⁿ of Thomas Gerrard as followeth Liber II. II.

To the hono^{ble} the Governor and Councell of
the Province of Maryland.

The humble peticoⁿ of Thomas Gerrard.

Sheweth

Whereas yo^r peticon^r his whole Estate was by this hono^{ble} Courte Confiscated, and his person banished this Province, whereby yo^r peticon^r is made altogether incapable of Releiveing either himselfe, wife or Children and therefore humbly Implores the mercy and favor of the Right hono^{ble} the Lord Proprietary and of this hono^{ble} Courte that they will be pleased to mittigate their Judgem^t both for the said Estate and Banishm^t

And yo^r pet^r shall ever pray &c.

Thomas Gerrard.

Wherevpon the Councell tooke into Consideracⁿ the said peticoⁿ and Desired that the Sentence of Banishm^t be by the Governor pardoned and that the said Thomas Gerrard be had held and reputed as a Freeman of this Province to all Intents and pourposes Saving that he shall not at any tyme beare office within this Province, nor haue voyce in Electing nor be Elected Burgess in any Assembly for the future Provided the said Gerrard make Recognizance of tenn thousand weight of tobacco, to the Lord Proprietary for his Good behaviour towards the Governm^t here.

And as to his Estate they further desired that he might have itt restored in Statu quo prius (vizt) before Judgem^t passed in the Provinciall Courte paying his just fees to the Sherriffe and officers of the Courte and chargeing a bill of Exchange for one hundred pounds Sterling payable in London at tenn Dayes sight to some person whome the Governor shall appoynte and Give bond to pay five thousand weight of tobacco next Crop to the Lord Proprietary And that after Recognizance entred and bill of Exchange and bond Given as aforesaid he may haue a pardon vnder the greate Seale according to the Intent of theis presents

All which at the Instance of the Councell
the Governor Granted:

At a Councell held at St Marys 28th of February 1660

| | | |
|---------|------------------------------------|---------------|
| | Philip Calvert Govern ^r | |
| Present | Henry Coursey Secretary | |
| | Ed. LLOYD | } Councillors |
| | John Bateman | |
| | Robert Clarke | |
| | Baker Brookes | |

Liber H. H.

To the Right hono^{ble} the Governor and Councell
of Maryland:

p. 91

The Humble peticoⁿ of John Hatch.

Sheweth

Whereas yo^r peticon^r hath vnadvisedly acted against his Lo^{pp} the Lord Proprietary whereby he hath iustly falne into his high Displeasure, and now being Convinced of his Rashnes and vnadvisednes in soe doeing; And now is hartily Sorry for the same; Humbly Craveth his Lordships Gracious pardon for his said Offence

And yo^r pet^r as in duty bound shall
pray &c
John Hache

Vpon Consideracon of which, It is therefore ordered that he pay the next Crop to the Lord Proprietary two thousand pounds of tobacco and Caske as alsoe all just fees to the Respective Officers of the Courte and that he have one yeares tyme assigned for the disposall of his Estate, then to departe the Province, and in the Interim enter into Recognizance for his Good behaviour.

[Pardons of Fendall and Gerrard.]

Cæcilius Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Barron of Baltemore &c To all persons to whome theis presents shall come Greeting in our Lord God Everlasting Whereas vpon the twenty Seaventh Day of February last, there passed in our Pro^{all} Courte against Josias Fendall a Sentence of Banishment out of this Province and forfeiture and Confiscacō of all his Estate both reall and personall to vs and our heires And Whereas the said Josias Fendall haveing in that behalfe since petitioned our Governor and Councell for mercy and mitigacō of that Sentence Knowe yee that Wee by the advise of our said Governor and Councell haue thought fitt and Doe hereby pardon the said Josias Fendall and acquitt him of all the Crymes of which he was indicted the said twenty seaventh Day of February last And alsoe of all and singuler the paines and punishm^{ts} which he had thereby incurred and of which he had Judgem^t the said twenty seaventh Day of February last Saving that he shall not at any tyme hereafter beare Office within this Province nor haue voyce in Electing nor be elected Burgesse in any future Generall Assembly of this Province and shall alsoe give sufficient Security for his Good behaviour towards vs and our Governm^t here. Provided alwayes that the said Josias shall not by this our pardon be intended or Construed to be

pardoned or acquitted of any of his just Debts formerly Due Liber II. II.
to vs or any person elce nor of the Summe of fifty pounds Ster.
Due to vs for a Composicōn for his said Estate nor of the just
fees Due to the Sherriffe and other officers of the Courte for p. 92
his Imprisonm^t or otherwise Given at Saint Marys vnder the
Greate Seale of this our Province of Maryland this twenty
Eighth Day of February in the nine and twentyth yeare of our
Dominion over the said Province of Maryland Annoq Domini
1660 Witness our Deare Brother Philip Calvert Esq^r our
Leivetennant of our said Province of Maryland.

Cæcilius Absolute Lord and Proprietary of the Provinces of
Maryland and Avalon Lord Barron of Baltimore &c To all pers-
ons to whome theis presents shall come Greeting in our Lord
God Everlasting Whereas vpon the twenty seaventh Day of
February last there passed in our Pro^{all} Courte against Thomas
Gerrard a Sentence of Banishm^t out of this Province and for-
feiture and Confiscacōn of all his Estate both reall and person-
all to vs and our heires And whereas the said Thomas Gerrard
having in that behalfe since petitioned our Governor and
Councell for mercy and mitigacōn of that Sentence Knowe yee
that wee by the advise of our said Governor and Councell
haue thought fitt and Doe hereby pardon the said Thomas
Gerrard and acquitt him of all the Crymes of which he was
indicted the said twenty Seaventh Day of February last, And
alsoe of all and singuler the paines and punishm^{ts} which he had
thereby Incurred and of which he had Judgem^t the said twenty
Seaventh Day of february last, Saving that he shall not at any
tyme hereafter beare Office within this Province; nor have
voyce in Electing nor be Elected Burgesse in any future
Generall Assembly of this Province and shall alsoe give
Recognizance for his Good behaviour towards vs and our
Governm^t here Provided alwayes that the said Thomas Ger-
rard shall not by this our Pardon be intended or construed to
be pardoned or acquitted of any of his just debts formerly
due to vs or any person elce Nor of the Summe of one hundred
pounds Sterling Due to vs for parte of a Composicōn for his
said Estate Nor of the Summe of five thousand pounds of
tobacco the remaynder of the said Composicōn nor of his just
fees Due to the Sherriffe and other officers of the Courte for
his Imprisonm^t or otherwise Given at Saint Marys, vnder the
Greate Seale of this our Province of Maryland this twenty
Eighth Day of February in the nine and twentyth yeare of our
Dominion over the said Province of Maryland Annoq Domini
1660 Wittness our Deare Brother Philip Calvert Esq^r our
Leivetenn^t of our said Province of Maryland.

Cæcilius absolute Lord and Proprietary of the provinces of p. 229
Maryland and Avalon Lord Barron of Baltemore &c To our

Liber H. H. Trusty and welbeloved William Evans Esq^r Wee Considering that Armes without the knowledge of the vse of them are fruitles and haveing an Especiall care of the safety and preservacō of this our province of Maryland have thought fitt and necessary that the Inhabitants thereof should be from time to time exercised and trained in the vse of armes that if occasion should require they may be the more Ready and able to defend as well themselves as us and our Rights there and

p. 210 offending their and our Enemies And wee haveing good experience of your knowledge and great Abilityes in Marshall affaires and of your great fidelity vnto us in that occasion of insurreccōn and Rebellion in our said province which was begun there by that notorious Villaine Richard Jngle and his Complices against our Deare Brother Leonard Calvert Esq^r deceased then our Lieutennant generall of the same, and therein us and our vndoubted Rights and Title there where in and in divers other worthy accōns as well att the late fight of Anne Arundell under our Lieutennant Captaine William Stone deceased as in the late Mutiny and Sedicōn raysed against us and our vndoubted Rights by Josias ffendall and his Complices you have manifested vnto us and our Collony here such singuler fidelity Courage Wisdome Industry and Integrity as render you worthy and Capeable of the Trust hereby intended by us to be reposed in you Wherefore wee doe by these presents Constitute ordaine and appoint you to be our Muster Master generall of this our province of Maryland To have and to hold the said office of Muster Master Generall with as ample fees, Vailes Regards, profitts, Comodityes Imunities and priviledges as any Muster Master Generall of our said province hath or ought to have had in regard of his said office or as any Muster Master Generall in Virginea of Right now hath or ought to have or Enjoy by vertue of his said office till wee or our heires shall signify the Contrary vnder our hand and Seale at Armes Given att S^t Marys vnder the great Seale

p. 211 of our said prouince of Maryland this thirteenth day of March in the nine and Twentyeth yeare of our Dominion over the said province of Maryland Annoq Domini One thousand six hundred and sixty Witnes our Deare Brother Philip Calvert Esq our Lieutennant of our said province of Maryland

Philip Calvert

[Indian Troubles.]

| | | | | | | | | | |
|-----------|--|--|-----------|--------------|---------------------------|------------------------------|-----------------|---------------|--------------|
| p. 93 | At a Councell held at Saint Marys this 24 th Day of Aprill 1661 | <table border="0"> <tr> <td rowspan="5">} Present</td> <td>The Governor</td> <td rowspan="5">} Councello^{rs}</td> </tr> <tr> <td>M^r Robert Clarke</td> </tr> <tr> <td>Edward L. Lloyd</td> </tr> <tr> <td>Baker Brookes</td> </tr> <tr> <td>John Bateman</td> </tr> </table> | } Present | The Governor | } Councello ^{rs} | M ^r Robert Clarke | Edward L. Lloyd | Baker Brookes | John Bateman |
| } Present | The Governor | } Councello ^{rs} | | | | | | | |
| | M ^r Robert Clarke | | | | | | | | |
| | Edward L. Lloyd | | | | | | | | |
| | Baker Brookes | | | | | | | | |
| | John Bateman | | | | | | | | |

Vpon Consideracōn had of the Acts of Assembly passed for present ayde to be Given to the Sasquhannoughs they tooke into Debate the findeing out a person fitt to cōmand the fifty men by the said Acte ordered to be sent to the Sasquehannough Forte. And ordered that Captaine John Odber be sent for to cōmand the said fifty men Liber II. II.

Ordered Likewise that three men be prest out of Collonell Evans his Company, and that foure men be prest out of Leiuettennant Collonell Jarboes Company, foure men out of Captaine William Boremans company five men out of Captaine Christopher Russells company; two men out of the Company formerly Cap^t James Langworth now under the Cōmand of Leiuettennant Rob^t Troope, foure out of Major Thomas Brookes his Company five out of Captaine John Odbers Company, six out of Captaine Thomas Manning his company, five out of Cap^t William Burgesse, his Company foure out of Captaine John Collier his company, two out of the Division of the Northside of Anne Arrundell River three out of Captaine William Leeds company; And that order be sent forthwith to the Officers nowe with the said Companyes to presse the respective numbers of men That M^r Francis Stockett goe for Chirurghion of the said Company and Gothofrid Harmer for Interpreter.

That the place of Randezuous of the men to be rayسد in St Marys County Charles County and Calvert County be at Robert Kingsburys from whence the Captaine is to dispose of them into Quarters That the men to be rayسد in Anne Arrundell County be randeuousd at Richard Devers his plantacōn

That every officer be Cōmanded that every respectiue Division out of which he rayses his men be ordered forthwith to provide for every man two pound of powder tenn pounds of Bullett or pistoll Shott and thirty pounds of Dryed flesh either Beefe or bacon and one Good well fixed Gun, and a Sword or Cuttleax a peece for each of the said Men

That they be ordered to presse horse horses or boate to carry the said provisions amunicōn and Baggage to the respectiue Randevouz

That two Sloopes be rayسد for the transportacōn of the men in St Marys County Charles County and Calvert County with men to manage them.

Ordered that the seuerall proporcōns of men to be rayسد in St Mary County Charles County and Calvert County be at the Randeuous vpon Monday the fift Day of May:

Ordered that the Randezuous of Anne Arrundell and Kent Countyes be at the house of Richard Deevers the tenth of May 1661 p. 94

The persons by order this Day Summoned appeareing before Sumons serued upon them It was thought fitt to anticipate the Examinacōns touching the Engagem^t with the Indians in Gun powder river and ordered that first Robert Gorsuch be Calld in

The Jnformacōn of Robert Gorsuch touching the death of his wife whoe was killd by the Indians the 11th of Aprill 1661 Sayth.

That upon the 11th of Aprill there came to his howse some Indians some in blew and some in red Matchcoates whoe killd his wife and plundered his howse, and aboute 4 or 5 Dayes after came to his howse againe, and killd some fieve Cowes and a Steere and some hoggs as he supposeth

The Jnformacōn of Jn^o Tayler sayth that upon Easter Eve in the Afternoone there came two Indians to his howse, but he not vnderstanding their Language poynted at them to be Gone, he haueing notice before of a Murther Comitted upon Robert Gorsuch his wife, and they accordingly Departed; the next day those selfe same two Indians retourned againe with 7 more and one woman, whoe comeing neare his Landing Shott of a Gunn to giue him notice as he Conceiued, whereupon he went to the Landing to them, and they asked him for some tobacco which he Did giue them, And upon Sight of another Canow of Indians bid them be Gone one of them vnderstanding and Speakeing a little English upon which they went away and Steered as he thought towards a Plantacōn hard by where two Batchelors liued named Edward Forster and John Forster, That John Forster comeing in a Canowe towards the Indians Shott at the said Indians and came imediately away to this Jnformants howse Whereupon the said Indians Shott 3 Gunns at the said Forster and imediately went and plundered his howse and came round aboute the neck & plundered his tobacco howse, where his Goods then lay for want of Roome in his Dwelling howse to the vallue of one thousand pounds of tobacco, That upon notice given of this Plunder William Wignell Jn^o Forster and Edward Swanson went forth after the said Indians to knowe the reason why they plundered the said tobacco howse and Comeing vp to them in the Woods where they were sitting Round ab^t a fyre they imediately surrounded the said English and Dischargeing a Volley of tenn shott killd the said John Forster and at a second Volley wounded William Wignell, notwithstanding which Shott they fought them three houres and made their Retreate good Since which tyme the said Indians haue killed Eleauen head of Cattle and twenty head of hoggs; Demanding of the Indians who they were they answered they were all Sasquehannoughs as all Indians vsed do toe that come to his howse

The marke of Jn^o T Tayler

Liber H. H. The Informacōn of Thomas Overton and William Hallis Sayth That aboute the 25th of Aprill last Thomas Sampson and Richard Hayes seeing two Canowes with 9 Delaware Bay Indians comeing downe Bush River, watching their Canowes did discerne that they Steered towards their plantacōn upon which the said Sampson and Richard Hayes came and brought the Informants newes of their comeing. Soe upon that they tooke to their Boate and Armes and mett the Indians and required of them whether they were Sasquehannoughs yea, or noe, and they answered Noe, And whilst that these Informants were talking wth one of the said Companyes in one of the Canowes the other Canowe with Indians went a Shoare, And as soone as ere they were on the Shoare, one of the Informants Doggs seizes on one of the said Indians, and vpon that the Indian turnd him aboute and Shott the Dogg and killd itt, And immediately another of the said Indians that was on the Shoare

P. 97 Shott at these Informants and there Company, and the Bullett came through the Boate, Then the said Informants and their Company Shott at the Indians that were in the other Canowe and killd fve of them, that is all the Indians that were in that Canowe And further these Informants sayth that the Indians on the Shoare did kill one of their Company Called John Spurne And further knoweth not

This Informacōn was made
before vs
Henry Coursey
John Bateman

The marke of × Thomas
Overton.
The marke of × W^m
Hallis

For his much respected freind
Coll. Nathaniell Vty these p'sent

From the Sand Poynte in Delaware Bay this
20th Aprill 1661

Worshipfull S^r Coll. Nath: Vty

These Lines of myne J am afrajd will be the intelligence of sad tydings, the 17th Day of this moneth here Depted from hence three English men and one Dutchman there names J haue not William John Norden, M^r Hack a Dutchman and a Cooper, both at M^r Stocketts and one Walter at M^r Rights which persons wee feare are murthered by the Indians in their Journey home as yo^w may further be resolved if yo^w please to enquire The Indians say their bodyes lay at a place caild Saquasehum the 19th Day here came abt 20 Indians Soe by some of them it was Discouered And J haue caused two Indians to be secured in the Corte of Guard, one of them is sett free to informe their Sakim And this Day wee suppose he will be

here both Dutch and Indians are very much Displeased at itt Liber II. II.
but J Demanding Justice of the Governor he knew not well
how to deney me my Desire is yo^r Wors^d will be pleased to
advise and alsoe send some person or persons which may p. 98
make further Enquiry into the matter As for me J thinke
it is pittie such barbarous accōns should soe passe Jt will be
as much as for to tenne of to be English men and J pray be
Active in this matter of soe greate Concernm^t Thus with my
respects J rest Yo^r wors^{ds} to Comānd

W^m Hollingsworth

The Indians that haue Committed this murther soe farr as wee
perceive, are some of this River, but lue up in itt J alsoe aduise
yo^w that the Indians Doe threaten to Cutt some other English
men that are here in this River to retourne home to their
families if not p^rvented by some other meanes

W^m H.

S^r

I vnderstood from M^r Hollingsworth of the murder of foure
men belonging to this Province, by the hand of some Indians
yo^r neighbours, And further that upon his accusacōn yo^w had
Comitted them to Guard I send this Expresse to yo^w to be in-
formed of the true State of the matter. It is not our Custome
to putt vp the injuryes of Indians, nor to bury the blood of
Christians in forgettfullnes & oblivion, Therefore I request yo^w
to deliuer me the Indian Prison^{rs} that I may deale with them
according to our Justice in like cases I am now at Spesvtia, and
there shall remayne till I haue provided for the safety of the
people and the hono^r of our nacōn and there shall Expect an
answere from yo^w to S^r

Spesutia 15th May 1661

Yo^r Servant

Superscribed

P. C

For the hono^{ble} Alexander Dhinoijossa
Governor of new Amstell

Right honorable

Yo^{rs} 15th may ould Style reēd. the 26th of New Style out of
which wee haue seene that upon the advice of M^r Hollings-
worth yo^w are come to the lland of Nathaniell Utye for to
examine the Lamentable murder done by the Sanhikan Indians
vnto foure English men; (It is thus) forasmuch as hath appeared
to us that here haue been foure p^{rs}ons, out of the Province of
Maryland, which after two dayes stay departed from hence to
their plantacōns as they sayd And by the way are mett by the
said Indians by whome they are murdered, And on Marettico
or the iron hill mett them two Indians comeing from the Min-
quas Country to one of them they did give a hatt and nothing

Liber H. H.
P. 99

elce, to the other they gaue noething, The same two Indians came to the Towne, imagining noe thing, but the Murtherers which killd the man did very secretly and speedily pas this place up to the River; Two or three Inhabitants of New Amstoll did in the meane while lay hould on those two Indians: And I caused them to be brought to the Forte, but after many Examinacons found them not Guilty but that it was done by another nacōn wherefore wee haue released them, because the Ignorant cannot suffer for the Guilty otherwise it would be a case grounded of noe reason, besides there is some tyme past betweene, And would haue occasioned betweene vs and the Indians a Difference which might engage Vs with them, to an open warre, were by the Cultiture of the Country, and the advancement of the Collony would be much hindred in which apparently yo^r hono^r would take noe Comfort nor Content with the two Indians which haue not beene actually in the facts. And therefore lett yo^r hono^r be assured that the releaseing of the two Indians hath not been done out of any ill Intent nor to the p^rjudice of soe Good Christians our Neighbours in favor of the Heathens which haue Comitted from tyme to tyme diuers murthers and Robberies upon our owne nacōn also, Wishing that wee could lay hould of this Good oppertunity in revenging our selues upon the Murtherers alsoe, to Conclude yo^r hono^r may be confident that the Shedding of Christian blood is most detestable vnto us assuring yo^r selfe that wee shall Contribute in all thinges to the p^rservacōn of freindship with neighbours of our beleife for as much as might be done without p^rjudice to our owne nacōn, Soe I Comitt yo^r Hono^r to Gods keepeing whoe will give his blessings to yo^r Gouvernm^t Soe I rest

Yo^r Serviceable freind

Praise God aboue all things 1661 Alex: Dhinoijossa:

Mr Wright

Be pleased to doe soe much as to lett me knowe, how it is with yo^w &c: the rest for trade.

The Indians threaten to kill me and that is the reason I cannot come I must watch in my howse with seaven or Eight Guns Loaden and I haue noe comforte from the Inhabitants here Indians and Dutch both saying that I am an English man. I wish I could haue tyme to speake ½ an houre with yo^r Mr Hollinsworth is very sorry he heares noe answere of his letter Give every body notice and looke to yo^r selues night and Day the Indians are very Strong and not farre from yo^w I would haue writt more, but I Dare not dare, warne James at Turkey Poynte to remove

15th May 1661

Yo^r Loveing Servant

Garratt Ritten

when yo^w haue read this lre burne it in the fyre,

Cecilius absolute lord and Proprietary of the Provinces of Maryland and Avalon Lord Barron of Baltemore &c To our trusty and welbeloved Capt. John Odber Greeting Knowe yee that wee Relying vpon yo^r fidellity circumspeccōn, courage and good Conduct doe hereby constitute ordaine and appoynte yo^w Captaine of fifty Souldiers raysed within this our Province of Maryland, them to haue vse and Co^mand, with all the Provisions Uictuall and Amunicōn sett forth with them in this March to the Sasquesahannough Forte, to the resistance of all Ennemies declared and to be declared and Defence of the said Forte against all attempts from any enemy to the said Sasquesahannoughs or of this Province according to such Instruccōns as yo^w shall receive from us or our Leiuetenn^t Generall from tyme to tyme, them to vanquish and putt to death and all or any other thinges Acts or powers to vse doe and exercise concerning the said Expedicōn till the retourne of the Souldiers into this Province againe, as to the Captaine of an Army or Governo^r of a Forte by the lawe or vse of warre doth or may belong, Given vnder our lesser Seale of our said Province of Maryland this Eighteenth day of May 1661 Wittness our Deare brother Philip Calvert Esq^r our Leiuetennant of our said Province of Maryland.

Liber II. H.

Instruccōns Given by the Governor and Councell of the Province of Maryland to Captaine John Odber for the managem^t of the assistance given to the Sasquesahannough Indians according to Articles of a treaty begun with the said Indians 16th of May 1661

Imprimis Yo^w are to choose some fitt place, either within or without the Forte which yo^w are to fortifye for yo^r owne Security and to demand the assistance of the Sasquesahannoughs to fetch tymber and other necessaryes for the fortificacōn according to Articles now concluded betweene vs, and further to cause some Spurrs or flankers to be layd out for the Defence of the Indian Forte whome yo^w are upon all occasions to assist against the Assaults of their Ennemies,

2 Vpon yo^r arrivall at the Forte immediatly presse them to appoynte some one or more of their greate men, to whome yo^w shall make yo^r applicacōns in all occasions, that is either of demanding assistance to helpe fortifye, or of provisions or upon any orders received from vs &c. p. 101

3 Procure that the certaine psons be appoynted whoe are to be Messengers Betweene yo^w and us according to Articles And be sure to aduize us of every accident of Importance, that shall befall yo^w or the Sasquesahannoughs, and of the proceedings of our affaires

Liber H. H.

4 Yo^w are carefully to informe yo^r selfe of the processe of the Warre betweene them and the Cinagoe Indians, and if yo^w finde them slack in itt, to presse them discretely to a vigorous prosecucōn of itt.

5 Yo^w are carefully to avoyde all Quarrells with the Indians and therefore permitt not the Souldiers, to sitt drinking or Gameing wth them, but keepe them to exact millitary discipline and to avoyde Idlenes often exercise them.

6. Make dilligent Enquiry touching the Murderers of the Woman in Patapsco river, and of John Nordon and his companions in their way from Delayware Baye &c. And if yo^w finde they haue any of the said Murderers in the Forte See them Shott to death or Send them downe to vs to be proceeded against according to our Lawes

7 Lastly yo^w are to haue a very wary Eye upon all Dutch that come to the Forte, observing their Actions, and treatyes with the Indians, but shew not any animosity against them, if yo^w finde any close Contrivances to our prejudice give us speedy notice and oppose with discrecōn any open actions that may tend to our Losse.

| | | | |
|--------|--|---|--|
| p. 102 | At a Councell held at Spesutia the 18 th Day of May 1661 | } | Present The Governor The Secretary M ^r Baker Brooke M ^r Edward LLOYD M ^r John Bateman |
|--------|--|---|--|

Was presented the peticōn of Samuell Gouldsmith Geo. Gouldsmith Godfrey Bayley and Francis Stocckett as followeth

To the hono^{ble} the Gouvernor and Councell of Maryld:

The humble peticōn of Sam: Gouldsmith &c
Sheweth

That whereas yo^r peticon^{rs} being sent Burgesses for the County of Baltemore to an Assembly held at S^t Clements Manno^r in the County of S^t Marys March the first 1659, by vertue of a writt in the lord Proprietarys name And whereas yo^r peticon^r being ignorant of the plotts and malicious contrivances of some of the cheife Members thereof were over perswaded to medle with those thinges which doe noe way concerne them, and were ensnared by their Suggestions and false, (as it appeares) informacōns to complye with them in the Relinquishing of his lop^s iust rights and priviledges

Wee yo^r humble pet^{rs} Doe humbly confess the haynousnes of our Crymes and with all doe humbly desire yo^r hono^{rs} to Consider that it was not through any malice or Envy of our owne, but the wicked Designs

of some more powerfull persons that caused us to acte contrary to our owne Intents and pourposes, and soe prejudiciall to the health and welfare of this Province The p^rmisses considered wee humbly desire yo^r honors to lookè upon us with a gracious aspect, and passe by our faults though almost impardonable Exempting us from fine or punishm^t Liber H. II.

And yo^r pet^{rs} will euer pray &c

Vpon Consideracōn had of the ingenious Confession in the aboues^d peticon contayned, and the certaine knowledge of the Governor and those of the Councell p^rsent at the p^rtended Assembly in the peticōn menconed concerning the carryage of the pet^{rs} in the said p^rtended Assembly which was soe farr from malice, that they did long withstand the illegall proceedings thereof and at last out of timidity only consented Ordered that the pet^s be pardoned without fine or tryall

To the hono^{ble} the Gouvernor and Councell
of the Prouince of Maryland.

The humble peticon of Nathaniell Vtye

Sheweth

That whereas yo^r pet^r was in the late Disturbance in the Province of Maryland to the prejudice of the Lord Proprietarys Right and that it hath pleased the Lord Proprietary since freely to forgive the said offence.

The humble request of yo^r pet^r is that the hono^{ble} the Gov- p. 103
ernor and Councell will be pleased to adde a further Acte of Grace that his former offences may not be prejudiciall to him hereafter

And yo^r pet^r shall pray:

Vpon his Lōps Direccōns touching Coll Nathaniell Vtye that he be pardoned for his offence comitted ag^t his lō^p in Sideing with Fendall and his faction And the said Collonell Vtye in pursuance of his said lō^{ps} gracious favor humbly by peticōn craues to the Governo^r and Councell to be Discharged of and from the said Cryme vpon Record which was ordered accordingly And that he be for ever hereafter pardoned for the fore-said offence to all Intents and pourposes whatsoever.

Philip Calvert Esq^r Capitaine Generall of all the forces wthin this Province of Maryland vnder the Right hono^{ble} Cæcilius Absolute Lord and Proprietary of the same To Major Samuëll Gouldsmith Greeting According to the power to me by his said Lō^p comitted, and upon the speciall trust and confidence I haue in yo^r fidellity circumspeccōn courage and good Conduct I doe hereby constitute ordaine and appoynte yo^w Major vnder me

Liber H. H. to the Regim^t raysed, betweene the Coves of Patuxent river and the head of the baye, both on the Easte and west side thereof includeing the Ile of Kent alsoe, them to see mustered Exercised and trained vp in the arte of warre and millitary discipline And in all thinges to doe as any Major of a Regim^t of foote may or of right ought to doe to the resistance of all Ennemies Suppression of all mutinyes insolencies and Rebellions whatsoeuer, according to such orders & direccōns as yo^w shall from tyme to tyme receive from me And I doe further authorize and appoynte yo^w to enlist for yo^r owne Company such and soe many of the Inhabitants from the North side of Patapsco river, to the west side of Sasquesahan-nough River as yo^w shall thinke fitt, and them when and as often as yo^w shall thinke convenient to muster and traine vp Soe that they may be in a readynes as occasion shall require to attend my further Comānds, with fitting Armes and Amunicōn for the pourpose aforesaid To haue and to hould the said office, and Comānd till the lord Proprietaryes his heires or his or their Leiuetenn^t cheife Governor or Captaine Generall for the tyme being shall signifye his or their pleasure to the Contrary, And all persons whatsoeuer are hereby strictly Com-manded and required to yeild all due obedience to yo^w the

p. 104 said Major Samuell Gouldsmith in all thinges appertayning to the Command and office hereby conferred on yo^w as they will answere the contrary at their perrills Given und^r my hand and lesser Seale of the Province of Maryland this one and twentyth Day of May in the nine and twentyth yeare of his lo^{ps} Dominion over this Province Annoq domini 1661

Com^{on} for Cap^t Howell mutatis mutandis ut in folio 23.

Articles of peace and amity concluded on the behalfe of the Lord Proprietary of the Province of Maryland and the Sasqsahannough Indians at a treaty begun at Spes Utia the 16th Day of May 1661 Betweene the hono^{ble} Philip Caluert Esq^r Governor of the said Province Henry Coursey Esq^r Secretary Baker Brookes Edward LLoyd and John Bateman Esq^s Councillors to his said Lo^p of the one parte and Dahadaghesea of the greate Torripine family Sarangararo of the wolfe family Waskanecqua of the Ohongeoguena nacōn Kagogegago of the unquehiett nacōn Saraqundett of the of the Kaiquarieghahaga nacōn Uwhanhierelera of the Usququhaga nacōn and Waddon hago of Sconondihago nacōn of the other parte.

Imprimis it is mutually agreed that wee shall according to former agreem^{ts} mutually assist one the other against the

Ennemies of either nacōn vpon timely notice giuen to each other respectiuely Liber II. II.

2 That such Indian men Prisoners as shall happen to be taken in the warre, shall be Deliuered to the English as well such as haue killd any English as others

3 That the English shall send up to the Sasquesahannough Forte fifty men to helpe to defend the forte

4 That the Sasquesahannoughs shall permitt the Captaine of the English Souldiers to choose a place either within or without the forte to fortifye himselfe in and that the Sasquesahannoughs shall helpe them to fetch loggs or other tymber or necessaryes for his fortificacōn

5 That the Sasquesahannoughs shall finde the English Souldiers with sufficient fish and flesh, and bread ready beaten

6 That there shall be six Indians appoynted by the Sasquesahannoughs to be ready to carry letters betweene the Cap^t of the English at the forte, and Collonell Utyes howse, and from thence to the forte againe, to which End two of them shall alwayes be vpon Palmers Iland

7 That for p^ruencōn of mischeife that too often happens by misvnderstanding and not distinguishing Sasquesahannoughs from other Indians, the Sasquesahannoughs shall not come ordinarily to any other howse, but the howse of Captaine Thomas Stockett or of Jacob Clauson from whence they shall haue ticketts if they haue occasion to come further among the English plantacōns And that if by Ennemies they be driven downe amongst the English they shall be bound to hollowe before they come neere any English howse, and vpon the appearance of any English they shall imediately lay downe their Armes and suffer their Armes to be in the English possōn till their Departure p. 105

8 That the Sasquesahannoughs shall send all Runawayes of the English Downe to Cap^t Thomas Stockett, imediately after their arrivall at the Forte

9 That the English haueing now declared that they will Demand sattisfacōn of the Passagonke Indians, for the death of John Nordon, and his Companions slayne by the aforesaid Indians and upon refusall to prosecute, a warre with them the Sasquesahannoughs shall upon further notice giuen be ready to assist in the said warre with necessary force

The marke of × Dahadagesa

The mke of × Sarangararo

the mke × of Andra Sonque

The mke of × Waskanecqua

The mke of × Saraqundett

The mke of × Kagoragago

The mke of × Wadonhago.

Liber II. H. Memorand the Articles aboue written were Signed and deliuered by the Sasquesahannoughs the 21th of May 1661

[Appointment of Justices.]

Cæcilius Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Barron of Baltemore &c. To Collonell William Evans John Abbington Thomas Mathews Thomas Dent Richard Willan John Lawson Thomas Turner and Luke Gardner Gentlemen Greeting Knowe Yee that wee for the greate truste and Confidence wee haue in yo^r fidellityes Circumspeccōns Prouidences and wisdomes haue constituted ordained and appoynted and doe by theis p^rsents constitute ordeine and appoynte yo^w the said Collonell William Evans John Abbington Thomas Mathews Thomas Dent Richard Willan John Lawson Thomas Turner and Luke Gardner Gent Com^{rs} Ioyntly and seuerally to keepe the peace in S^t Marys County aforesaid And to keepe and cause to be kept all
p. 106 Lawes and orders made for the good and Conservacōn of the peace and for the quiett Rule and Gouvernm^t of the people in all and every the Articles of the same And to chastise and punish all persons offending ag^t the forme of any of the lawes and orders of this our Province or of any of them in S^t Marys County aforesaid as according to the forme of those lawes and orders shall be fitt to be done Wee haue alsoe constituted and ordeyned yo^w and euey foure or more of yo^w of which yo^w the said William Evans John Abbington Thomas Mathews or Thomas Dent, vnles some one of our Councell be p^rsent are allwayes to be one Com^{rs} to enquire by the oathe of good and lawfull men of yo^r County aforesaid of all manner of Felonyes witchcrafts inchantm^{ts} Sorcerys Magick Arts trespasses forestallings ingrossings and Extorcōns whatsoever And of all and singuler other misdeeds and offences of which Justices of the peace in England may or ought lawfully to Enquire by whomesoeuer or whensoever done or perpetrated or which hereafter shall happen to be done or perpetrated in the County afores^d ag^t the Lawes and orders of this our Province Prouided yo^w proceed not in any of the cases aforesaid to take life or member, but that in every such case yo^w send the Prisoners with their Indictm^t and the whole matter Depending before yo^w to the next Pro^al Courte to be houlden for this our Province whensoever or wheresoeuer to be houlden there to be tryed And further wee doe hereby authorize yo^w to issue writts process arrests and Attaychm^{ts} to holde plea of heare and Determine and after Judgem^t executiōn to Award in all causes civill whether in accōns reall or personall, where the thing in accōn doth not exceed the vallue of three thousand pounds of

tobacco according to the lawes orders and reasonable customes made and vsed in this our Province of Maryland In which causes civill soe to be tryed Wee Doe constitute Ordaine and appoynte yo^w William Evans John Abbington Thomas Mathews or Thomas Dent to be Judges as aforesaid vnles some one of our Councell, be then in Courte And therefore wee comand yo^w that yo^w dilligently intend the keepeing of the peace Lawes and orders and all and singuler other the p^rmisses and at certaine dayes and places which yo^w or any foure or more of yo^w as aforesaid shall in that behalfe appoynte yee make Enquiries upon the p^rmisses And performe and fullfill the same in forme aforesaid Doeing therein that which to justice appertayneth according to the Lawes orders and reasonable Customes of this our Province Saving to us the Amercem^{ts} and other things thereof to vs belonging, And therefore Wee cōmand the Sherriffe of the said County of St Marys by vertue of theis p^rsents that at certaine dayes and places which yo^w or any such foure or more of yo^w as aforesaid shall make knowne to him to give his Attendance on yo^w And if need require to cause to come before yo^w or any such foure or more of yo^w as afores^d such and soe many Good and lawfull men of yo^r County by whome the truth in the p^rmisses may the better be knowne and Enquired of And Lastly Wee haue appoynted Walter Hall Clarke and Keeper of the Records of proceedings in this yo^r County Courte And therefore yo^w shall cause to be brought before yo^w at the said Dayes and places the Writts precepts process and Indictm^{ts} to yo^r Courte and Jurisdiccōn belonging that the same may be inspected and by a due Course determined as aforesaid Giuen at Saint Marys vnder our Greate Seale of our said Province of Maryland the foureteenth day of June in the nyne and twentyth yeare of our Dominion over the said Province and in the yeare of our Lord 1661 Wittness our Deare brother Philip Caluert Esq^r and our Leiuetenn^t of our said Province of Maryl^d

p. 107

Yo^w shall Sweare that as Commission^{rs} in the County of St Marys in all Articles in his Lōp^s com^{on} to yo^w Directed yo^w shall Doe Equall Right to the poore as to the rich to the best of yo^r cunning witt and power, and after the p^rsidents and Customes of this Province, and Acts of Assembly thereof made And that yo^w hould yo^r Sessions or Courts as yo^w are Directed in yo^r Com^{on} or according to Acts of Assembly provideing in that behalfe, And all Fines and Amercments that shall happen to be made and all forfeitures which shall before yo^w yee shall cause to be Entred without any Concealem^t and certefye the same to his Lō^{ps} Receivo^r of this Province Yee shall not debarre, or hinder the prosecucōn of Justice or take any Guifte Bribe or fee to the intent to delay Judgement But shall behaue

Liber H. H. yo^r selfe justly and truly to the best of yo^r vnderstanding and power Soe long as yo^w shall persist in this office, and vntill yo^w shall be by lawfull Authority discharged therefrom And yo^w shall further sweare that yo^w will not by yo^r selfe, nor any other person directly nor indirectly trouble molest or discourtenance any person whatsoever in this Province professing to beleue in Jesus Christ for or in Respect of his or her religion nor in his or her free exercise thereof within the said Province Soe as they be not vnfaithfull to his said L^d nor molest or conspire ag^t the Civill Gouvernm^t Established here vnder him Soe helpe yo^w God.

Idem Com^{on} and oathe to Robert Vaughan W^m Coursey Thomas Bradnox Seth Forster W^m Leeds and James Ringould Gent Com^{rs} for Kent County; whereof the two first are of the Quorum and roby Wells Clarke the said Com^{on} beareing Date the foureteenth of June 1661

Com^{rs} for Calvert County Idem Com^{on} and oathe to Thomas Sprigge Thomas Trueman Thomas Manning Thomas Brookes George Peake Francis Anketill Hugh Stanley Charles Brooke Rich Collett John Elzy Toby Norton Thomas Letchworth Benjamin Brassieur and William Turner whereof the foure first are of the Quorum and James Thompson Clk:

p. 108

Idem Com^{on} and oathe to Richard Wells Sam: Withers Thomas Todd Robert Burle Roger Grosse John Brewer Tho. Besson Anthony Sallway Edmund Townehill and Francis Holland gent. Com^{rs} for Anne Arrundell County whereof the 4 first are of the Quorum and Andrew Skinner Clk.

Idem Com^{on} and oathe to Tho. Stocckett Henry Stocckett Symon Carpenter Thomas Howell Francis Wright John Taylor Thomas Powell and Peter Meyor gent Com^{rs} for Baltemore County whereof the foure first are of the Quorum and J^{no} Collett Clarke.

Idem Com^{on} and oathe to Henry Adams Tho. Stone James Lindsey Thomas Baker Francis Pope W^m Marshall Walter Beane Joseph Harrison gent. Com^{rs} for Charles County.

Cæcilius &c. for the more speedy Administracō of Justice in our said County of S^t Marys Knowe yee that wee Doe hereby giue power vnto any three of the Comissioners of the said County whereof one to be of the Quorum to Sweare Richard LLoyd Com^r and Justice of the peace in the said

County And Doe hereby impowre him the Said Rich. LLoyd Liber II. II.
to all Intents and purposes to Acte as a Com^r and Justice of
the peace in the said County as fully as any other of our
Justices in the said County Giuen &c

Jdem. to sweare Nicholas Pickard Com^r and Justice of the
peace in Kent County.

At a Councell held at } Present Governor Secretary
Spesutia 21th May 1661 } Baker Brooke Edward LLoyd John
Bateman.

Then was p^rsented this following Letter.

Right honorable new Amstell 20th May 1661
Stilo novo.

My last the six and twentyth of May was in haste because
the Indians would not stayer by the same I Did assume yo^r
Honor of the vp^right affeccōn which wee haue for the keeping
of a good Neighbourship I haue by this occasion

Abraham Van Nas goeing that waye by Instruccōn ordered p. 109
and authorized for to declare by worde of mouthe that Licence
to departe to the two Indians that were apprehended was not in
favor of the Barbarous Heathens nor to the p^rjudice of soe
Good Neighbours they haueing not been accessory to the
Murther wherefore I could not keepe them Such proceedings
not being agreeable with our nacōns Custome being a Case
that will bring vs into greate Danger of a Warre and a
Quarrell with the Indians It being now 16 Dayes past before
wee had any Intelligence from the Province of Maryland in
that behalfe Wee therefore Doe assure yo^r honor that wee will
be vpon all occasions willing wee hope that in tyme to come
there will be a good traffique Betweene vs though this present
difference Betwixt yo^w and the Indians of this Riur are some-
thing Disfavourable to itt Yett wee hope that the Almighty
God will shewe an expedient waye that those differences might
be composed for the warres are p^rjudiciall to the Commōns
and vncertayne how they might fall out nor what tyme they
may take that the whole nacōn for five or six evell Doers
Should suffer, is a thing to be Lamented yett needefull that
the Murtherers should be punished for an Example I haue in
Generall vnderstood from the Indians that they with the English
vpon very advatagious Condi^cōns with the English make
peace that such vgly faults be noe more Committed In case
I can serue yo^r Honor, in the like busines J shall be willing

Liber H. II. to incline to itt and soe wishing yo^r honor a happy Governm^t and a Good end of these troubles shall rest

Yo^r honors affectionate freind
and Servant

Alexander Dhynoijsa

After which was called in Abraham Van has in the said Letter mencōned whoe being desired to declare what he had in Commission to say from the Governor Alexander Dhinoijossa.
p. 110 Declared that they had done their Endeavor to deteyne the Indian Murtherers but could not for want of power to defend themselues any longer keepe them, that in Revenge of what they had done the Indians had burned them a Mill which they were forced to passe by for the p^rsent till they should be better able to avenge themselues of the Injury that the Governor had of the Sandhooke Did send for the Kings of those Indians th^t had Committed the aforesaid murder. And Demanded of them the reason why they did it Answere was made that it was done by a Company of Vagabone Rouges that delighted in mischeife and run from nacōn to nacōn which if they could Catch they would deliuer them vp to Justice, but that since they had done it they were fledd.

[Dutch on the Delaware.]

| | | | |
|---|---|----------|---|
| At a Councell held at Sasquehanough Poynt July 1 st 1661 | } | Present. | The Govern ^r The Secretary Cap ^t James Neale |
|---|---|----------|---|

Was read this following Clause in a letter from his Lō^p
Dated London 14th December 1660 post alliqua (vizt) Captaine Neale being by the late Acte for Navigacōn putt by his Voyage in the Dutch ship he intended is gone as a Passenger for Maryland in an English vessell he was at the Isle of Wight on 16th of the last moneth vpon his voyage to yo^w I hope when he comes yo^w and he and my other freinds will thinke vpon some speedy and effectuall waye for Reduceing the Dutch in Delaware Baye The New England men will be assisting in itt and Secretary Ludwell of Virginea assured me before he went from hence that the Virgineans will be soe too But it were well to be done with all Celerity convenient because perhaps the New England men falling vpon them at Manhatas may take in the head to fall vpon them at Delaware too and by that meanes p^rtend some tytle to the place &c.

Whereupon the Councell tooke a viewe of his Lōp^s Com^{ms} to the Said Captaine James Neale Granted for the leauying of

men to make warre vpon certaine ennemies Piratts, and Robbers that had vsurped a parte of Delaware Baye lying within the fortyth Degree of Northerly Latitude as followeth (viz^t)

Liber II. II.
P. 111

C: Baltemore

Cæcilius Absolute Lord and Proprietary of Maryland and Avalon Lord Baltemore &c To our Trusty and welbeloved Captaine James Neale, and to all our officers in Maryland and all others whome it may Concearne Greeting Whereas wee vnderstand that certaine Ennemies Pyratts & Robbers haue invaded and vsurped a parte of our said Province of Maryland lying vpon the South side of Delaware Baye within the degree of forty Northerly Latitude and diuers Forreigno^{rs} furnish them with Vessells Armes Provisions and other Goods to mayntayne their said vnjust vsurpacōn Knowe yee That wee reposeing truste and confidence in the Courage and Experience in martiall affaires and good affeccōn of yo^w the said Captaine Neale Doe by theis p^rsents appoynte and authorize yo^w the Said Captaine Neale to Leavy muster and trayne any men in our said Province of Maryland for the tyme being that shall be willing to Assist yo^w in an Expedicon against the said Ennemies Pyratts and Robbers, and to make warre against and to pursue any the said Ennemies Pyratts and Robbers or any Forreigno^{rs} or their Ships or other Vessells aydeing or abetting them as aforesaid as well by Sea as by land yea even without the lymitts of our said Province and by Gods Assistance to vanquish and take them And to seize to our vse all or any howses and Goods of the said Ennemies Pyratts and Robbers or their Abettors which shall be vpon the Shoare within the lymitts of our said Province takeing and keepeing to yo^r owne vse all such Goods on Shoare which shall be seized by yo^w as aforesaid And to doe all and every thing which in such case vnto the Charge and office of a Captaine or Comander in cheife (for the said expedicōn) vnder our Leiuettennant of the said Province belongeth which p^rsons soe taken yo^w are to bring and deliuer to our Leiuettenn^t of the Said Province for the tyme being And all Vessells with their Goods soe taken yo^w are to bring into some Porte of our said Province without breakeing Bulke Selling Disposeing or altering the property of any of the said Vessells or Goods afore yo^w haue caused the same to be Duely Inventoryed and appraysed and adjudged in our said Province lawfull Prize, After which Adjudicacōn yo^w may take and keepe the same to yo^r owne vse, paying vnto vs or our Receivor Generall there for the tyme being for our vse the twentyth parte of the vallue thereof att the appraysement Prouided that by p^rtence thereof yo^w neither doe nor permitt to be done any Violence or Injury to any Shippes

p. 112

Liber H. H. Goods or Merchandizes whatsoever other then of the Ennemies Pyratts and Robbers or their Aydors and Abettors as aforesaid. And alsoe that before yo^w putt this our Co^mⁿ in Execucōn yo^w enter into a Recognizance of one thousand pounds Sterling to vs before our Leiuetenn^t of our said Province for the performance of the afore mencōned particulers Required on yo^r parte And Wee Doe hereby will and require our Leiuetenn^t Admirall and all other our Captaines Commission^{rs} and officers as well Civill as millitary by Sea and by land there to be aydeing and Assisting to yo^w in the Execucōn of this our Commission Giuen vnder our hand and Greater Seale at Armes this twentyth Day of July in the Nine and twentyth yeare of our Dominion over Maryland And in the yeare of our lord God One thousand Six hundred and Sixty.

p. 113 And vpon Consideracōn had first that it is very doubtfull whether the Towne of New Amstell doe lye within the lymitts of this Province or not, and that his L^o^p Doth not authorize a warre with any but such as haue vsurped some parte of this Province or shall abett or ayde such as haue vsurped some parte of this Province. And next that his L^o^p hath left it as appears by the words of the letter to vs to finde the waye to reduce the supposed Intruders and Vsurpers vpon Confidence and of Assistance from Virginea and New England that might be given vs which doth not at all seeme likely the Dutch Trade being the Darling of the People of Virginea as well as this Province and indeed all other Plantacōns of the English, and this Province alone not being able to beare the Charge of the Warre that will thence insue with the West Indian Company in Holland vpon any Attempt vpon that place which not only from their Protestacōn first of September last made at Amsterdam but also by late letters from Holland appears to be resolved on by them in case any force shall be vsed by vs against the said Towne of New Amstell Resolved that all Attempts be forborne against the said Towne of New Amstell till such tyme as letters from his L^o^p may againe be had in answere of what hath been written to his L^o^p concerning this Affaire and that Observacōn may be taken at the head of the Baye of Chesepeack thereby to finde certainly whether the said Towne of New Amstell Doe lye within the fortyth degree of Northerly Latitude or not and further that tryall be made whether Assistance from Virg^a may be had and from New England for the Reduceing and mayntenance of that place against the Dutch.

[Denization of Swedes and Dutch.]

Cæcilius Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Barron of Baltemore &c To all

persons to whome theis p'sents shall come Greeting in our Lord God Everlasting. Whereas Peter Meyor late of New Amstell and Subject of the Crowne of Sweeden haueing transported himselfe his wife and Children into this our Province here to inhabite hath besought us to grante him the said Peter Meyor leaue here to Inhabite and as a free Dennizen freedome land to him and his heires to purchase Knowe yee that wee willing to give due Encouragem^t to the Subjects of that Crowne Doe hereby Declare them the said Peter Meyor his wife and Children as well those already borne as those hereafter to be borne to be free Dennizens of this our Province of Maryland And doe further for vs our heires and Successors straightly enjoyne Constitute ordeine and Command that the said Peter Meyer be in all thinges held treated reputed and esteemed as one of the faythfull people of us our heires and Successors borne within this our Province of Maryland And likewise any lands tenements Revenues Services and other hereditam^{ts} whatsoeu^r within our said Province of Maryland may inherrite or otherwise purchase receive take haue should buy and possesse and them may occupye and enjoye Give Sell alyen and bequeathe as likewise all libertyes franchises and priuiledges of this our Province of Maryland freely quietly and peaceably haue and possesse occupye and enjoye as our faythfull people borne or to be borne within our said Province of Maryland without the lett molestacō vexacō trouble or Greivance of us our heires and Successors any Custome to the contrary hereof in any wise notwithstanding Giuen at Saint Marys vnder the Greate Seale of our said Province of Maryland this two and twentyth day of July in the thirtyth yeare of our dominion over the said Province of Maryland Annoq domini One thousand Six hundred Sixty one Wittness our Deare Brother Philip Calvert Esq^r our Leivetennant of our said Province of Maryland.

Liber II. II.

p. 114

Cæcilius Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Barron of Baltemore &c To all persons to whome theis p'sents shall come Greeting in our Lord God Everlasting Whereas Axell Stille late of New Amstell and Subject of the Crowne of Sweeden haueing transported himselfe into this our Province here to inhabite hath besought vs to grante him the said Axell Stille leaue here to inhabite And as a free Dennizen freedome land to him and his heires to purchase Knowe yee that wee willing to give due encouragement to the Subjects of that Crowne Doe hereby declare him the said Axell Stille to be a free Dennizen of this our Province of Maryland And Doe further for us our heires and Successors straightly enjoyne constitute ordeine and Com-

p. 115

Liber H. H. mand that the said Axell Stille be in all thinges held treated Reputed and esteemed as one of the faythfull people of us our heires and Successors borne within this our Province of Maryland And likewise any lands tenements Revenues Services and other hereditaments whatsoeuer within our said Province of Maryland may inherrite or otherwise purchase receive take haue hould buy and possesse and them may occupye and Enjoye Giue sell alyen and bequeathe as likewise all Libertyes franchises and priuiledges of this our Province of Maryland freely quietly and peaceably haue and possesse occupye and Enjoye as our faythfull people borne or to be borne within our said Province of Maryland without the lett molestacō vexacōn trouble or Greiuaunce of us our heires and Successors any Custome to the Contrary hereof in any wise notwithstanding Giuen at Saint Marys vnder the greate Seale of our said Province of Maryland this nine and twentyth day of July in the thirtieth yeare of our dominion over the said Province of Maryland Annoq domini One thousand Six hundred Sixty one Wittness our Deare Brother Philip Caluert Esq^r our Leiuetenn^t of our said Province of Maryland:

Idem mutatis mutandis to Peter Jacobson

Idem to Marcus Sipherson

Idem to Clement Micheelson

Idem to Hendrick Hendrickson

Idem to Andrew Clementson

Idem to Peter Montson

Idem to Mathias Cornelison

Idem to Hendrick Mathiason

Idem to John Wheeler

Idem to Bartholomew Hendrickson

Idem to Cornelius Urinson

Idem to John Urinson

Idem to Andrew Toreson

Idem to Paule Johnson

Idem to Gothofrid Harmer

Cæcilius Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Barron of Baltemore &c To all persons to whome theis p'sents shall come Greeting in our lord God Everlasting Whereas Jacob Clauson late of New
 p. 116 Amstell and Subject of the States of Holland haueing of long tyme liued within this our Province of Maryland hath besought us to grante him the said Jacob Clauson leaue here to Inhabite and as a free Dennizen freedome land to him and his heires to purchase Knowe yee that wee willing to giue due Encouragem^t to the Subjects of those States Doe hereby Declare him

the said Jacob Clauson to be a free Dennizen of this our Province of Maryland And Doe further for us our heires and Successors straightly enjoyne constitute ordeine and Command that the said Jacob Clauson be in all thinges held treated reputed and esteemed as one of the faythfull people of us our heires and Successors borne within this our Province of Maryland And likewise any lands tenements Revenues Services and other hereditam^{ts} whatsoever within our said Province of Maryland may inherrite or otherwise purchase receive take haue hould buy and possesse and them may occupye and Enjoye give Sell alyen and bequeathe as likewise all Libertyes franchises and priuiledges of this our Province of Maryland freely quietly and peaceably haue and possesse occupye and Enjoye as our faythfull people borne or to be borne within our said Province of Maryland without the Lett molestacōn vexacōn trouble or greivance of us our heires and Successors any Custome to the contrary hereof in any wise notwithstanding Giuen at Saint Marys under the Greate Seale of our said Province of Maryland this thirtyth day of July in the thirtyth yeare of our dominion over the said Province of Maryland Annoq domini One thousand Six hundred Sixty one Wittness our Deare Brother Philip Caluert Esq^r our Leivetennant of our said Province of Maryland.

Liber H. II.

Idem to Jacob Micheelson.

Idem to Cornelius Comages

Idem to Michael Vandernorte

Idem mutatis mutandis to John Jarboe Subject of the Crowne of france.

Comon to Robt
Troope

Com^{on} to Captaine Robert Troope mutatis
mutandis ut in folio 23.

[Indian troubles and Treaty.]

At a Councell held at Appaquimmin Thursday 19th Sept. 1661 p. 117

Present

Philip Calvert Esq^r Gouverno^r

Henry Coursey Esq^r Secretary

and M^r John Bateman Councill

Came Pinna King of Pickhattomitta in Delaware Bay shewing that whereas there had been divers men slayne by the English belonging to the Passayoncke Indians now vnder his Command and amongst them his owne brother in revenge of which divers English had been slayne by those Indians Yet

Liber H. H. that as he did beleive all those outrages were committed by the English without order from the Gouvernor and Councell soe he did assure the Governor and Councell that those revenges were taken by his Indians without his or any of his greate mens knowledge therefore did desire that all might be forgotten and that from henceforward his Indians might live in peace with the English

To which the Governor answered that as he did desire peace soe he did Desire Justice alsoe and provided that they would deliuer up those Indians that killed John Norden and Sepherin Hack with his Companions to be proceeded against according to our Justice he would come to Articles of peace with him

Whereunto the said Pinna answered that the English had begun the warre and first killed one of his men as he was peaceably comeing by their plantacōn oversett their Canowe out of which they lost three Gunns afterwards pursued them into the woods and there shott at them, that as his Indians fledd (haueing lost one man and their Goods) in their way home they mett the said Norden and Hack and Companions and Contrary to the advice of an ould man of the Company that stood weepeing by and perswadeing them to speake with the greate men of the English first Did kill the said Norden and Hack and Companions saying that the English would haue warre but that since that tyme the English had sett vpon two Canowes of Indians and killed fieve of them and amongst them his owne brother all which notwithstanding he was willing and desirous to make a peace betweene vs and his Indians forgetting the blood of his owne brother

p. 118 Then did the Governor Demand sattisfaccon for the Cattle and hoggs of John Taylor. To which he answered y^t they were not killed by his Indians for they imediately fled, but by Minquas or Sinigos

Whereupon was taken into Consideracōn the Informacon of John Taylor Thomas Overton and others taken at Spesutia 13th May last and findeing the Relacōn of Pinna in the maine to agree with the said Informacōns and the Gouvernor and Councell calling to minde that the said John Taylor after his Informacōn in wryting taken had often sayd that John Forster whoe shott at the Indian (as p Informacon) affirmed that he had killed him. Resolued to come to Articles with the said Pinna vpon this Consideracōn that the English had begun the warre by the said John Forsters killing the said Indian vpon Easter daye

And Forasmuch as it is certaine that the said Indians whome Forster shott at imediately fledd after they killed Forster in the woods and vpon the 17th Day of Aprill mett Norden and Hack neere the Iron hill vpon the Easterne Shoare and there

murdered them and that the Minqua or Sinigo Indians were aboute that tyme doeing mischeife and killing Cattle aboute Patapsco Riuer and those Quarters as appeares by the Informacōn of Robert Gorsuch taken 13th May aforesaid. Resolved that all further Demand of sattisfaccōn for those cattle be waued and that sufficient provision in the Articles be made for the Security of our Stocks of Cattle and hoggs for the future, and that the treaty be imediately begun least Generall Styuesant at the Manhatans make an advantage by those Indians against vs It being doubted whether there be a warre betweene Holland and England or not

Liber H. H.

Articles of peace and amity concluded betwixt the honorable Philip Calvert Esq^r Governor Henry Coursey Secretary and M^r Iohn Bateman Councillor on the behalfe of the Lord Proprietary of this Province of Maryland and Pinna King of Pickhattomitta on the behalfe of the Passayonke Indians on the other parte (viz)

Imprimis that there shall be a perpetuall peace betwixt the people of Maryland and the Passayoncke Indians

2^{ly} It is agreed betwixt the abouesaid parties that in case p. 119 any English man for the future shall happen to finde any Passayoncke Indian killing either Cattle or Hoggs that then it shall be lawfull for the English to kill the said Indian.

3^{ly} It is agreed betwixt the abouesaid parties that in case any Indian or Indians shall happen to kill any English man for the future (which God forbid) that they the said Indian with all that company of Indians with him which consented to the said murder shall be deliuered up to the English there to be pceeded against according to the lawe of this Province.

4^{ly} It is further agreed betwixt the abouesaid parties that in case any English man shall happen to run amongst the Passayoncke Indians that the said Indians bring them to Peter Meyors and there for every English man that they shall deliuer they shall Receive one Matchcoate

The marke × of Pinna

Signed and Deliuered this
19th of Sept. 1661

Memorandum the abouesaid Articles were signed Interchangeably by the Gouvernor and Councill and deliuered this 19th of September in the 30th yeare of his Lop^s Dominion over this Province of Maryland 1661

Liber H. H.

At a Councell held at the Gouvernors howse the
11th of October 1661

Present Philip Calvert Esq^r Gouverno^r Henry Coursey Secr^r
m^r Robert Clarke M^r Baker Brooke M^r Ed. LLoyd m^r John
Bateman

p. 120 Vpon the mocōn of John Bouge and William Mills Guardi-
ans to the children of Cuthbert Fenwicke deceased to haue a
writt of Particōn of the land by the last will and testam^t of the
said Cuthbert to his sonns Cuthbert, Jgnacius Robert Richard
and John Fenwicke deuised according to the tenor and pur-
porte of the said will now proved and vpon Record, shewing
vnto the board that unles such partition be speedily made that
every one knowing his parte may improue itt, the children will
inevitably be undone by permitting the houseing and plantacōn
now already cleared and built runne to ruine

Ordered. That a writt of particōn issue to the Sherriffe of
Calvert County to see particōn made by a Jury of twelue men
of the neighbourhood according to the tenor and purporte of
the will (vizt) that they lay out unto Cuthbert ffenwicke one
hund^d acres next unto S^t Cuthberts Creeke and that afterwards
they diuide all the remaynd^r of s^t Cuthberts Manno^r (excepting
that parcell lying Westward of the Deepe branch of S^t Cuth-
berts Neck by the said will Deuised unto Jane Fenwicke) into
fue parts of equall vallue haueing regard to the Goodnes of
the land not the number of acres And that then they first give
unto Cuthbert Fenwicke his Share next adjoyning to his land
vpon S^t Cuthberts Creeke and afterwards that they permitt
the other brothers to chuse by lotts their Shares soe divided as
aforesaid the eldest of them chuseing first and soe the next in
seniority till every one haue his parte

At a Councell held at S^t Marys the 12th of octob^r 1661

Present The Gouvernor Secretary M^r Robert Clarke M^r Baker
Brooke M^r Edward LLoyd and M^r John Bateman

Was Sworne of the Councell Captaine James Neale And
after satt as a Counciller.

Came Cap^t John Odber to giue an accompt of his expedicōn
to the Sasquehannough Forte being demanded why he came
downe without order from the Gouvernor.

He replyed that the Sasquehannoughs came to him and tould
him that they could not compell their men to furnish the Souldiers
with Prouisions according to Articles, and therefore bid them
provide themselues to be gone to morrowe for there were
Canowes to Goe to carry downe the Amunicōn by water. That

he had left all the Armes with m^r LLoyd Except one Gun at Jacobs; and the Armes that every Souldier carried home with him to be deliuered to the ownors from whome they receiued them Liber H. H.
P. 121

This Answer being not fully sattisfactory and Informacōn from the Leiuetenn^t being wanting. Ordered that Cap^t John Odber doe give an acc^o in wryting of his proceeding with the Sasquesahannoughs by the 27th of November next and that Jacob Clauson Francis Stocckett and Samuell Palmer Gen^t be summoned to appeare at that tyme also to Giue informacōn to the Board alsoe

Then was called John Everett to answeere for his Contempt in Running from his Collors Pleades that he could not beare Armes ag^t the Indians for Conscience sake. Ordered that the said John Euerett be committed to the custody of Nicholas Guyther till 27th of November next and that then he be tryed by a Courte Marshall And that Cap^t John Collier come then to testefye in the case being the man that pressed the said Euerett.

Com^{on} for Ensigne to Henry Mitchell mutatis mutandis ut in folio 24.

Com^{on} to Captaine William Boreman mutatis mutandis ut in folio 23.

Cæcilius &c. Whereas Walter Senserfe being of Scottish Descent haueing of long tyme vsed the trade of this our Province and for some yeares last past hath been possessed of land within this our Province hath besought us to Grante him leaue to transporte himselfe and family into this our Province here to inhabite, Knowe yee that wee being willing to give due Encouragem^t to all men of his Nacōn Doe hereby Declare &c. idem ut in folio 83.

[Immigrants from Virginia.]

Philip Calvert Esq^r Leiuetenn^t and Cheife Governor of the Province of Maryland vnder the Right hono^{ble} Cæcilius lord and Proprietary of the same To all persons to whome this p^rsents shall come Greeting in our lord God Euerlasting Knowe yee that takeing into Consideracōn the peticōn of diuers persons well affected to this Province now or late Inhabitants of Northtōn County otherwise called Accomack in Virg^a who are desirous to transplant themselues and families into this Province And for the more speedy and Effectuall prosecucōn of p. 122

Liber H. H. his said Lo^{ps} Comand to me to see that parte of this Province next adjoyneing to the County aforesaid peopled and for the ease and benefitt of all such persons whoe shall transplant themselues into this Province from Accomack afores^d I haue nominated constituted and impowred and Doe by theis p^rsents nominate Constitute and impower Coll Edmund Scarburgh Randoll Reuell and John Elzey Gent or any two of them being within this Province to grant warr^{ts} for land (During the tearme of six moneths next ensueing the date hereof) vpon the Easterne shoare of this Province in any parte belowe Choptanck Riuer that is to say fifty acres for euery person transplanted vpon such Condiçōs & tearmes as are Expressed in his Lo^{ps} con-
 dicon of plantacōn now remayning vpon Record regulated according to his lo^{ps} Declaracōn of the 22th Sep^r 1658, now vpon Record alsoe Provided that euery pson claymeing any land by uertue of the Condiçōs aforesaid for or in respect of the transportacōn of any pson or psons into this Province doe before the said Edmund Scarburgh Randall Reuell & John
 p. 123 Elzey or any two of them and being within this Province take the oathe of fidellity by the said Condiçōs of plantacōn required which said oathe the said Coll Edmund Scarburgh Randall Reuell and John Elzey or any two of them are hereby impowred to administer to all or any the persons desirous to transplant themselues as aforesaid before they shall haue any warrants granted vnto them respectiuey And alsoe provided that all such persons as shall haue any warr^{ts} granted be accomptable to the Secretary for the tyme being for all such fees as for the said Warr^{ts} and Entryes shall become due And the said Edmund Scarburgh Randall Reuell and John Elzey are hereby required to keepe a booke of all such Rights and warr^{ts} as shall be by them or any of them granted distinctly reciting the name and surname of euery person for or in respect of whose transportacōn they haue allowed any land And the same at the End of the six moneths aforesaid to retourne into the Secretarys office Signed with their hands Giuen at S^t Marys vnder the lesser Seale of this Province this sixth day of November in the thirtyth yeare of his lo^{ps} dominion over the said Province Annoq domini 1661

Signed Philip Calvert

C: Baltemore

CECILIOUS CALVERT, LORD BALTIMORE,

Proprietary.

CHARLES CALVERT,

Governor.

1661-1675.

[Commission to Charles Calvert.]

Cæcilius &c. To all the Inhabitants and people in Maryland and to all others whome theis p'sents shall any way conccearne Greeting Whereas our Deare sonne and heire Charles Calvert Esq^r intends to goe in person into Maryland this p'sent yeare And whereas whilst he is there it is fitt and requisite the Cheife comānd of the said Province should be in him Knowe yee therefore that wee haue Constituted and doe hereby Constitute authorize and appoynte him our said Deare sonne During the tyme of his aboade there and our absence out of the said Province our Leuietenn^t Generall, Gouvernor Admirall and Cheife Co māder both by Sea and land of our said Province of Maryland with all the same powers and authorityes as our Deare Brother Philip Caluert our p'sent Leuietennant Generall there Doth or might use or exercise by vertue of our Co m^{en} Granted to him for that purpose beareing date the foure and twentyth day of June One thousand six hundred and sixty (except that our said brother is still to Continue and remayne our Chancellor and Keeper of our greate Seale there, And wee doe further hereby authorize and appoynte our said Deare Brother Philip Calvert to be Deputy Leuietenn^t of the said Province vnder our said Deare sonne and to be the first of our Councell there and in the absence of our said sonne out of the said Province to be our Leuietenn^t there as formerly Prouided allwayes that our said Deare sonne doe take in open Co^{rt} in our said Province the oathe of our Leuietenn^t to be administred vnto him by the Deputy Leuietenn^t Secretary or any two of our Councell there whome wee doe hereby authorize and require to administer the same accordingly before he sitt or Acte as our Leuietenn^t of the said Province Giuen vnder our hand and Greater Seale at Armes this foureteenth Day of September in the thirtyth yeare of our dominion over Maryland and in the yeare of our Lord 1661

Liber H. H.
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P. 124

[Commission to Henry Sewall.]

Cæcilius &c. To all the Inhabitants and people in the said Province of Maryland and to all others whome theis p'sents shall anywayes Conccearne Greeting Knowe yee that wee reposeing speciall truste and Confidence in the wisdom dilligence Experience and fidellity of our trusty and welbeloued Henry

P. 125

Liber H. H. Sewall of London Esq^r Haue Constituted appoynted ordeined And by theis p^rsents doe constitute appoynte and ordeine him the said Henry Sewall to be one of our Councell of State and Conservator and Justice of peace wthin our said Province of Maryland untill wee or our heires shall signifye our or their pleasure to the Contrary under our or their hand and Seale at Armes And wee doe hereby giue and Grant vnto him the said Henry Sewall full power and authority for that purpose from tyme to tyme and at all tymes During his soe being of our said Councell of State there to meete and assembly himselfe in Councell vpon all occasions in our said Province with our Leiuetenn^t of our said province for the tyme being and others of our Councell there, And in all things to doe and Acte with them as one of our Councell of our said Province in as ample manner and forme as any other Councellor of ours there can or Ought to doe as being of our said Councell of state there And wee doe hereby further will and Grant that he the said Henry Sewall shall haue and receiue all such powers priuiledges

p. 126 p^rheminences Jurisdiccōns Immunityes and Advantages, whatsoever which are belonging and incident to one of our Councell of State and Conservato^r and Justice of peace there in as full and ample manner as any other of our Councell there may can or ought to haue and Enioye as a Councellor Conservator or Justice of the peace in our said Province Hereby willing and requireing our said Leiuetenn^t and the rest of our Councell of the said Province of Maryland to admitt and receive him the said Henry Sewall as one of our Councell of State Conservato^r and Justice of peace in our said Province as aforesaid Prouided allwayes that he take in open Co^rt in our said Province the oathe of a Councellor of State appoynted by us to be taken by those of our Councell there before he sitt or Acte as one Councell of State and Conservato^r or Justice of peace in our said province to be administred vnto him by our said Leiuetenn^t or any two of our Councell there whoe are hereby respectiuely impowred and required to administer the same accordingly And wee doe by theis p^rsents reuoake all former Com^{ons} at any tyme heretofore granted by us to any other person or persons for the place or office of our Principall Secretary of our said Province and other the powers and offices hereunder mencōned. And Doe hereby constitute appoynte and ordeine him the said Henry Sewall to be our Principall Secretary of our said Province of Maryland and to haue all such priuiledges and benefitts as belongeth to our principall Secretary there: And wee doe by theis p^rsents appoynte constitute and ordeine the said Henry Sewall to be our principall

p. 127 officer and Keeper of the Acts and proceedings of us and of our Leiuetennant and Councell there for the tyme being, and

of and for the Entring and recording of all Grants by us or our heires to be made of any lands or offices within our said Province of Maryland And for the probates Entring and Recording of wills and Inventorys and granting of letters of Administracōn And for the Entring and Recording of all other matters Acts and things which by any Instruccōns Lawes or Ordinances made or given or to be made or giuen for or concerning our said Province of Maryland shall or ought by the appoyntment of us or our heires or by the appoyntment of our Leiuetenn^t or other cheife Gouvernor there for the tyme being or otherwise to be entred and recorded To haue and to hould execute and Enjoye the said office and offices together with the priuiledges and benefitts aforesaid vnto the said Henry Sewall vntill wee or our heires shall signifye our or their pleasure to the Contrary and noe longer. Liber II. II.

Provided alwayes that he take in open Co^t in our said Province the oathe of our Secretary there before he sitt or Acte as Secretary in our said Province to be likewise administred vnto him by our said Leiuetenn^t or any two of our Counceli there whoe are hereby respectiuely impowred and required to administer the same to him accordingly Giuen under our hand and Greater Seale at Armes this twentyth day of August in the thirtyth yeare of our dominion over Maryland and in the yeare of our lord 1661

At a Councell held at S^t Marys 28th of November 1661 p. 123

Present Charles Calvert Esq^r Gouvernor Philip Calvert Esq^r Deputy Leiuetenn^t and Chancellor Henry Sewall Esq^r Secretary Henry Coursey Robert Clarke Baker Brooke and John Bateman Esq^{rs} Councillors.

Then was called for Capt^t John Odber to giue an Accompt in wryting according to the order of the last Co^t of his proceedings with the Sasquesahannoughs: But appeared not,

Then was Called John Everett to answeare his Contempt in running from his Collors when prest to goe to the Sasquehannough Forte, pleades that he cannot beare Armes for Conscience sake.

Ordered that the said Euerett be tryed at the next Provinciall Co^t and in the interim be Comitted into the Sherriffs hands and that the Sherriffe impannell a Jury against that tyme and in the meane tyme the said Euerett to be kept in Chaynes and beate his owne Bread:

Ordered that Richard Wells and George Vtye be brought by the Sherriffe to the next Provinciall Co^t to answeare in not

Liber H. H. sending letters downe to the Gouvernor according to the Acte of Assembly and for contemptuously Nayling vp a letter of the Sherriffs directed to the Gouvernor as abouesaid

Then was p^rferred the humble peti^cō of John
Hatche which is as
followeth.

To the Right honorable the Leuietenn^t
Generall of the Prouince of
Maryland and the hono^{ble}
the Gouverno^r and Councell

The humble peti^cō of John Hatch

p. 129 Humbly Sheweth

That Whereas at a Provincia^ll Co^rt held at S^t Marys the 28th of February 1660 there then passed an order that yo^r pet^r should haue a yeares tyme allowed him for the disposall of his Estate and then to departe this Province, Since which tyme yo^r pet^r hath had noe oppertunity to dispose of his said Estate

Wherefore it is the humble desire of yo^r pet^r that yo^r Honors will be pleased to take it into yo^r Consideracōns and order that the former order of the 28th of February 1660 be made voyd and yo^r pet^r thereby made capable of Continuing in this Province and ordering his small Estate to his best advantage as the rest of his Lo^{ps} Tenants in this his Lo^{ps} Province may doe

And he shall pray &c.

Vpon the peti^cō abouesaid The Leuietennant Generall hath remitted the Sentence of banishm^t

To the Right hono^{ble} the Gouvernor and
Councell of the Prouince of
Maryland

The humble peti^cō of Samson Waring

Humbly sheweth

That whereas yo^r pet^r sometye in February or March last past did enter into Recognizance to the Right Hono^{ble} the Lord Proprietary for his good behaiiour and hath according to the tenor of the said Recognizance well and truly behaved himselfe

Yo^r pet^r humbly implores that yo^r Hono^{rs} not regarding his former misdemeanour but his p^rsent Comportm^t will vouchsafe that the said bond be deliuered in to yo^r pet^r

And he shall pray &c

p. 130 Vpon the peti^cō of Samson Waring The Leuietenn^t Generall hath ordered that his said Recognizance be deliuered in to his possōn:

By the Leiuetenn^t Generall

Liber H. H.

A Proclamacōn

Prohibiting Trade with the Indians without Lycence and for prohibiting exportacōn of Corne out of the Prouince.

Whereas by Acte of the Generall Assembly held at S^t Johns the 17th Day of Aprill last it was Enacted that noe person shall trade with any Indians of this Province or goe through any riuers of this Province to trade with any Indians to the Northward of this Province without lycence of his L^o or of his Governor of this Province for the tyme being vpon payne of forfeiture to his l^o of all Comodities unlawfully traded for and all vessells and trucke vnlawfully traded with: Theis are therefore to proclayme that I doe hereby revoke and Determine all former Com^{ons} and Lycences to trade by any Governo^r of this Province given and straightly to Charge and Comānd all officers and other persons whatsoever to seise the boates Vessells Trucke or other Comodities of any persons vnlawfully tradeing contrary to that Acte, and them soe seised to bring to s^t Marys there to be adjudged And further to giue notice that if any person shall seise any boates Vessells or Trucke of any person vnlawfully tradeing as aforesaid and bring them to S^t Marys to be Judged as aforesaid or deliuer them vp to the Sherriffe to be brought to S^t Marys shall haue one third parte of the boates Vessell Trucke or Comodities which shall be adjudged Prise as aforesaid And for the prevencōn of the greate abuse in Exportacōn of Corne and Grayne I doe hereby straightly charge and Command that noe person whatsoever presume to Exporte any sorte of Corne or Grayne out of this Province without Express warr^t vnder the privy Seale of this Province vnder the penalty of twelue moneths imprisonm^t Giuen at S^t Marys this seauenth Day of December 1661

p. 131

Signed Charles Calvert

Cæcilius Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Barron of Baltemore &c. To all persons to whome theis p^rsents shall come Greeting in our Lord God everlasting. Wee Reposeing speciall truste and Confidence in William Hollinsworth and willing to Complye with his request and Desire herein, Doe hereby giue and grant to him the said William Hollinsworth Liberty lycence and Comission to trade with any the Indians of this Province for any Beauer Furrss Skins or any other Comodities whatsoever And to that End it shall be hereby lawfull for him the said William Hollinsworth to pass upon or through any riuer or Creeke or

Liber H. H. other passage through any parte of this Province to trade for such Comodityes with any Indian or Indians wthout this Province and to exporte the same from tyme to tyme as he the said William Hollinsworth shall thinke fitt and Convenient
 p. 132 Provided that in case he the said William Hollinsworth shall buy or trade for any Corne from any such Indian or Indians as aforesaid or other Inhabitant of this Province he Doe not exporte the same out of this Province, without Lycence first had and obteyned from our Leiuetenn^t or other Cheife Governor of this Province Provided alsoe the said William Hollinsworth pay to the Lord Proprietary or his heires the tenth in weight or vallue of all Comodityes traded for with the Indians either by himselfe or any other person intrusted by him and fullfill all such condicōns as are expressed in that Acte concerning trade with the Indians, Giuen vnder the greate Seale of our said Province of Maryland this ninth Day of December in the thirtyth yeare of our dominion over the said Province of Maryland Annoq domini 1661 Wittness our Deare sonne Charles Caluert Esq^r our Leiuetenn^t of our said Province

Com^{on} to Captaine Thomas Besson to comānd all the forces on the South side of Anne Arrundell riuier vp to the head thereof and the North side of South riuier up to the head thereof mutatis mutandis ut in folio: 23.

Com^{on} to Leiuetenn^t David Steward to be Leiuet^t vnder Capt Besson.

Com^{on} to Cornelius Howard to be Ensigne vnder Cap^t Besson. mutatis mutandis ut in folio 23

Com^{on} to Captaine John Norwood to comānd all the forces from the head of Anne Arrundell riuier on the Northside thereof to the Southside of Patapsco riuier

Com^{on} to W^m Hills to be Leiuetenn^t vnder Cap^t Norwood

Com^{on} to Andrew Skinner to be Ensigne vnder Cap^t Norwood. mutatis mutandis ut in folio 23.

Mr Sewall

J doe hereby Authorize & impower yo^w to signe att any time lycences for marryages as likewise warrants for land when it may bee inconuenient for p^rsons to Come to mee being absent from my howse att s^t Marys, Giuen und^r my hand this 10th day of Decemb^r 1661

Signed Charles Caluert

Wittnes
 Philip Caluert

| | | |
|--|----------------------------|-------------|
| At a Councell held at S ^t Johns } | The Leiuetenn ^t | Liber H. H. |
| the 9 th Day of January 1661 } | Present Chancellor. | P. 132 |
| | Secretary | |

Vpon Informacōn that John Jenkins formerly Cap^t John Jenkins whoe rayased the mutiny in Charles County in February last and hath since been for the said fact prosecuted to an Outlawry, is retourn'd againe into this Province and Lurketh aboute Wiccocomaco Riuer and Pikaiwaxen and that he hath been seene at the howses of Josias Fendall and Christopher Russell and that Arthur Turner is suspected of Compliance with the said Jenkins and his Complices. Ordered that the sd Jenkins and Russell be forthwith apprehended and Comitted to prison at S^t Marys without Bayle or Maynprise. That the said Josias Fendall be confined to his howse till further order from this Board and that Cap^t James Neale doe send for the said Turner and cause him to finde two sufficient Suretyes for his good abearance or elce to Comitt him to the Sherr. and that the Chancellor doe see this order be fortth putt in Execucōn:

Cæcilius &c To all persons to whome theis p^rsents shall come Greeting in our Lord God everlasting Knowe yee that wee reposeing much trust & Confidence in the care diligence and Integrity of John Nuttall and willing to Complye with him in his request & Desire Doe hereby giue and Grant to him the said John Nuttall Liberty Lycence and Com^{on} to trade with any the Inhabitants of this Province, for any Beauers Furrs, Skins, or any other Comodities whatsoever and to that end it shall be hereby Lawfull for him the said John Nuttall to pass upon or through any riuer or Creeke or other passage through any parte of this Province to trade for any such Comodities with any Indian or Indians without this Prouince & to exporte the same from tyme to tyme as he the said John Nuttall shall thinke fitt or convenient Prouided that if he the said John Nuttall shall buy or trade for any Corne from any such Indian or Indians as aforesaid he Doe not exporte the same out of this Province without Lycence first had and obteyned from our Leiuetenn^t or cheife Gouverno^r of this Province Prouided alsoe that the said John Nuttall pay to the Lord Proprietary or his heires the tenth parte in weight or vallue of all Comodities w^tsoever soe traded for either by himselfe or any other person intrusted by him; and fullfill all such Condicōns as are expressed in that acte concerning Trade with the Indians, And Doe hereby authorize and impower him the said John Nuttall to take seize or surprise the pson or psons, Boates vessells or Trucke of any tradeing in any parte of this Province without

Liber H. H. Lycence of us or our heires or our or their Leiuettenn^t or cheife
Gouernor for the tyme being And wee doe hereby will and
require him the said John Nuttall in his Custody safely to
keepe the psons Boates vessells or Truck of any pson taken
soe tradeing without lycence vntill they shall be brought to a
legall tryall before our Leiuett^t or Cheife Governor of this
Prouince for the tyme being Provided that this lycence unto
the said John Nuttall for tradeing with the Indians shall not be
in force but untill the first Day of January next ensueing the
date hereof Giuen under the greate seale of our s^d Province of
Maryland this 24th Day of January in the 30th yeare of our
Dominion ouer this Province annoq^o domini 1661 Wittness
our Deare sonne Charls Caluert Esq^r

p. 135 Idem mutatis mutandis to Vincent Atcheson
 Idem mutatis mutandis to Andrew Cooke
 Idem mutatis mutandis to Cap^t W^m Boreman

By the Leiuettennant

A Proclamacōn for the better observacōn of the Acte

Acte for Navigacōn and increase of Shipping

For as much as Complaynt hath been made vnto us that
diuers Masters of small Vessells doe come into this Province,
and putt off Goods, and lade away tobaccoes without takeing
notice of the Gouernm^t here or of the Acte of Parliam^t for
Navigacōn and increase of shiping whereby the Gouernm^t here
is rendred Contemptible the ends of the said Acte frustrated,
and the Porte duty unpayd, Wee doe hereby strictly charge &
Comand all Masters and Commanders of any Ships or lesser
Vessells of what sise or burthen so euer tradeing within this
Province to come first into S^t Georges or Patuxent Riuers
and that they p^rsume not to breake Bulke or trade with any
person within this Province before they haue been at S^t Marys
their duely to enter their ships or Vessells respectuely, and in
euery respect Complied with the said Acte for Navigacōn and
increase of Shipping And further to giue Bond according to
the late Acte of Assembly here, for Compliance with all the
Lawes of this Province, and paym^t of the Porte Duty to his
Lō^p as they will answere the Contrary at their perills, And in
case any M^r or Comander of any Ship Sloope or Vessell as
aforesaid shall in contempt of this Proclamacōn or otherwise
attempt to putt off any Goods or other Merchandizes before
they haue been at S^t Marys and giuen bond as aforesaid We
doe hereby further declare that it shall be at the pleasure of

the Buyer whether he will pay for any such Goods soe bought or not. And Doe hereby Charge and Command all Clarke of Courts within this Province that they p^rsume not to enter any action for any such Goods soe bought as aforesaid Given at S^t Marys this 31th of January in the thirtyth yeare of his Lo^{es} Dominion over this Province Anno Domini 1661

Signed Charles Caluert

A proclamation made by Henry Sewall Esq.
Secretary of this Province for the better
obseruation of conuenient tymes in which
the Jnhabts of this Province may com to
the office in pursueance of their busines.

P. 143

S^t Marys this 11^o of february 1661

Wheras there is noe certaine day appointed for the dispatch of the busines concerning Administrations, rights to land, and other actions of meum and tuum, and for that reason the Jnhabitants of this Province doe many tymes loose theire labours repayreing to s^t Marys when the officers in these seuerall affayrs concerned are absent.

These are to giue notice that the officers concerned in the businesses afors^d will Constantly attend the last thursday in euery moneth and one day imediatly followeinge at the ordinary at s^t Marys, at which place and tyme all persons concerned are required to attend, and at noe other tyme for the dispatch of theire businesses as afors^d and all the Jnhbts of this Province are heereby required to take notice of this Proclamation, and not to importune the officers at other tymes.

signed

Henry Sewall Secr.

At a Councell held at S^t Marys the 19th of February 1661

Present Charles Caluert Esq^r Gouvernor Philip Calvert Esq^r
Chancellor and Henry Sewall Esq^r Secr^r

Was p^rsented this following peticon (viz^t)

To the Hono^{ble} Charles Caluert Esq^r
Gouvernor of Maryland

The humble peticoⁿ of Hannah Lee Widd

Sheweth

That yo^r pet^r haueing promised yo^r Honors to keepe Ordinary this Generall Assembly ensueing And haueing noe Corne to mayntayne her said promise

She humbly desires yo^r Honor to grante
her a Lycence to trade with the Indians
for some Corne to make pvision according
And she as in Duty bound &c.

Liber H. H. Vpon the peticoⁿ abouesaid It is ordered that the said Hannah Lee haue a Lycence granted to Trade with the Indians, as is Desired for Corne only.

Ordered that Moyses Stagwell be Sherriffe of Talbott County till the County Co^r can meete to p^rsent other persons to the Gouvernor & Councell

p. 137 Feb 18th 1661

Com^{on} issued for the peace in Talbott County to Leiuet^r Richard Woollman W^m Coursey Seth Forster James Ringould Thomas South & Thomas Hinson Junior whereof the two first are of the Quorum and Moses Stagwell Clk:

p. 139 April 10th
1662

To the Right honorable Charles Caluert
Esqr. Gouvernor of the Province of
Maryland

The humble petition of Major
Georg Colclough.

Humbly sheweth

That whereas there was a Proclamation Prohibitinge the exportation of Corne without a Lycence put foorth in this Province.

Your petitioner humbly prays that your honnor would be pleased to grant him a lycence to trade for corne without disturbance and hee shall pray &c. ordred that the pet^r haue a Lycence to trade for Corne as is desired.

Lycence inde to the pet^r to trade for Corne as vsually.

p. 140

At a Councill held at S^t Maris on Tewsday
the second of Aprill 1662. beinge present
The Lieut Generall, Phillip Caluert Esqr Deputy
Lieutenant. Henry Sewall Esqr Secre. Robt Clarck
Baker Brookes, James Neale and John Beateman.
Esqr. Councillors.

Then was presented as sherriffes for s^t Marys County for this following yeare Thomas Turner, Edward LLoyd and Richard willan Gentles.

The Lieut. Gen^{all} choses M^r willan for sher. of s^t Marys County.

p. 141

For Kent County Moses Stagwell, william Richards, and Richard Blunt, out which the Lieut Generall chose Richard Blunt Gent Sher. for Kent County.

For Caluert County Thomas Trueman, Thomas Sprigg, and Thomas Maninge Gent. out of which is chosen Thomas Trueman.

For an Arrundell County Edmond Towne-hill, Samuel Chew and John Norwood gent, out of which was chosen John Norwood Liber H. II.

For Charles County James Lynsey, Francis Pope and Thomas Hussey gent, out of which was chosen James Lynsey.

For Baltemore County John Collett, John Collyer Thomas Sampson, out of which was chosen John Collett.

Tabbott County presented John Morgan etc. and John Morgan chosen sherriffe and Clarck.

Ordered that M^r Styles attend the next Provinciaall Court to answer the remoueing of Tobaccos belonging to the Country, Rec^d by Gyles Sadleir for his owne vse.

At a Councell held at S^t Marys 9th of Aprill 1662

p 145

Present The Leiutenn^t Generall Philip Calvert Esq^r Deputy Leiutenn^t Henry Sewall Esq^r Secr^y Rob^t Clarke Baker Brooke Ed. LLoyd John Bateman & James Neale Esq^{rs} Councillors.

Ordered that James Clifton John Anderton Edward Hoskins Thomas Taylor Ralph Dodson Henry Frith, and Rowland Thornbury be kept in the Sherriffs hands till they finde sufficient security to appeare att the next Pro^{all} Co^t and for their good behaiour in the meane tyme & itt is likewise ordered that John Halfe head J^{no} Pollard & Rob^t MacckLane doe Enter into Recognizance to appeare with their wiues att the next Pro^{all} Co^t to prosecute their Complaynt.

At a Councell held at S^t Marys on wednesday the 9^o of Aprill 1662

p. 138

Present Charles Caluert Esqr. Gouvernor. Phillip Caluert Esqr. Deputy Gouvernor and Chancellor, Henry Sewall Esqr. Secretary. Robert Clark. Baker Brooke Edward Loyd. James Neale and John Beateman Esqrs Councillors.

Vppon the oath of John Elzey it is ordered that John Nuttall doe giue in Security to appeere at the next Provinciaall to cleere himselfe of the things hee is accused by John Elzey and francis wright and that M^r Beateman doe take the sayd Wrights deposition concerning the same and returne it into the secretary office. p. 139

Aprill the 9^o 1662.

Ordered that James Clifton, John Anderton, Ed. Hoskins, Thom. Taylor Ralph Dodson Hen. Frith & Rowland Thornbury be kept in the sherriffs hands till they finde sufficient security to appeere at the next Provinciaall Co^t and for their good behavior in the meane tyme it is likewise ordered that

Liber H. H. John Halfhead, John Polard and Robert Macklane doe giue in security to appeere there likewis to present their Complaint.

The Examination of John Elzey tooke
vppon oath in the Councell the 9^o of Aprill 1662.

Sayeth

That that beeing at Wiccocomaco on the Easterne shoare certaine of the greate men of that towne came vnto this depo^t and sayd that M^r John Nuttall had tould them that J this Dep^t and others that came thether to take vpp land did belong to the County of Accomack. and that wee weare not heere to inhabit. for that land did belonge to the Province of Maryland.
p. 140 and if wee weare suffred to seate there amongst them, wee would serue them as wee haue don our neighbour Indians at Accomack, and further this deponent sayeth that hee heard there was a letter writt to to that effect, and som of M^r Reuels seruants tould this deponent that there was a letter directed to this Deponent to that effect by m^r wright he referring to this deponent whoe might bee the author. and further sayeth nott
Sworne at the Councell.

Aprill
the 10 1662

To the honnorable Gouvernor and Councell
The humble petition of Maurice Murffee.

Sheweth

That wheare as your Petitioner hath receiued much dammage to his person with hazard of his life Receiued by Captⁿ Robert Troope whereby hee is made in capable of gettinge a livelyhood, and by which meanes his Cloathes and what goods hee brought into the Province weare carryed a way by the vessell in which hee was imported. Therefore your petitioner humbly prayeth your honnors to take his present distressed condition into your serious considerations for sustenance, and for the cureinge of his wounds by the aboue nentioned Ro^{bt} Troope, and your petitioner shall pray

Aprill ditto Ordered that M^r Richard Loyd, M^r Lucke Gardner, and Coll. Will^m Euens doe take care of the within mentioned Morice Murffee that they doe provide him dyet, Cloathes, and lodgeinge, and likewise to see that Jaques Peon ffrench surgeon doe carefully dress the wounds of sayd murffee vntill it bee made a perfect cure which sayd charge shall be satisfyed accordinge as the Provinciaall Co^{rt} shall order

Then it was ordered that the Commissions for Sherriffs should be sent with all speede to euery respectiue sherriff, which are written in his verbis.

p. 149 Cæcilius &c. Knowe yee that wee reposinge speciall confidence and trust in you M^r Thomas Trueman and for that the

County Court of Caluert County haue presented you amongst three to serue as sherriffe for the said County for this ensueinge yeare haue constituted, ordained, and appointed you Sherriffe of the said County and doe by these presents constitute, ordaine, and apppoint you sherriffe of the said County, and to haue all such priuileges and benefitts as any other sherriffe within this our Province of Maryland now hath or any other sherriff of your said County euer haue had, held or enjoyed, or of Right ought to haue had, held or enjoyed, to haue and to hould the said office or employm^t for one whole yeare to be computed from the first day of Aprill last past and after till an other Sherriff by your said County Court to bee presented shall bee lawfully by pattent constituted, Provided that hee the said Thom. Trueman doe in open Court in his said County take the oath off sheriffe heere vnto annexed, and giue Security for the well dischargeinge of his office and trust according to the Act of Assembly in that Case provided. Giuen at s^t Marys vnder our lesser seale of our said Province of Maryland the 23^o of Aprill in the 30^o yeare of our dominion ouer our said Province of Maryland, Annoq. domini 1662. Witnes our deere Sonn and Heire Charles Caluert Esqr our Lieutenant Generall of our said Province of Maryland.

Liber II. II.

p. 150

Jdem mutatis mutandis to M^r James Lynsey to bee sherriff of Charles County.

Jdem mutatis mutandis to M^r John Morgan to bee sherriffe of Tabbott County.

Jdem mutatis mutandis to M^r Richard Blunt to bee sheriff of Kent County.

Jdem mutatis mutandis to M^r John Collett to be sheriff of Baltemore County.

Jdem mutatis mutandis to M^r John Norwood to bee sherriff of An Arundell County.

Jdem mutatis mutandis to M^r Richard Willan to bee sherriff of S^t Marys County.

Warrant to M^r James Lynsey to take the names of all the taxable persons in Charles County.

Jdem mutatis mutandis to M^r Thomas Trueman Sherriff of Caluert County.

Jdem mutatis mutantis to M^r John Morgan sheriff of Tabbott County

Jdem mutatis mutandis to M^r Richard Blunt Sherriff of Kent County.

Jdem mutatis Mutandis to M^r John Collet Sheriffe of Baltemor County.

Jdem mutatis mutandis to M^r John Norwood sheriff An Arundell County.

Jdem mutatis mutandis to M^r Richard Willan Sheriffe of S^t Marys County.

Liber H. H.
P. 137

| | | | |
|---|---|---------|---|
| At a Councell held at St Johns ditto die | } | Present | Lieuten ^t Generall Deputy Lieut. & Secretary |
|---|---|---------|---|

May 20 1662 This day came Randell Reuell and represented the State of the plantation seated at Monoakin; and desired that Course might bee taken for the supply of the plantation or continuance of the Comm^{on} to himselfe and others Graunted for Grauntinge of warrants and suruey of lands on that parte of the Province dated 6th of nouember last past, his relation thereof is in his verbis.

(viz). that there weare now at this present seated there fifty tithable psons viz at Monokin and Anamessicks a place distant som fower miles from Monokin. that thy had made an agreem^t with their neighbour Indians viz: the Emperor of Nanticocke. which they desired mought be by the Gouvernor and Councell confirmed, which is as followeth. viz that the Emperor and his Indians weare to haue for euery plantation six match coates to bee payd by them that seates such plantations. That they weare to bringe in all runaways for which they weare to receaue a matchcoate p pole for euery runaway deliuered. that they should not Kill nor murther any the English, neither should any English murther any of theirs. That if the Indians stole any thing from the English they should pay for: as alsoe the English should pay for anythinge they stole from the Indians. that I case the English lick not of the Dutch tradeinge with them that they would prohibit the Dutch tradeinge with them Provided they might be supplied with necessarys from the English. That noe English man whatsoever should pass through theire Quarters without a pass from the Gouvernor or som Magistrat therevnto authorized.

Where vppon it was ordered first that som fitt person be authorized to conclude a peace with the Emperour of Nanticoke vppon the formentioned Articles to bee entred vppon
P. 138 Rec^d and that the Comission for Graunting warr^{ts} for land dated 6^o nouember last be renewed to Coll Edmond Scarbragh, Randall Reuells, and John Elzey Gen^{ls} to continue till his Lōp or his Heirs, or his or their Lieut. or Cheife Gouvernor of this Province for the tyme beinge shall recall the same, vppon the same tearmes as the sayd Commission was to the s^d Edmond Scarbragh, Randall Reuells and John Elzey Graunted as aforsayd.

And vppon consideration of the two Proclamations the one for Prohibiting trade with the Indians and exportation of Corne Dated the 7^o day of December 1661. And the other for the better obseruation of the Act for Nauigation and increase of shippinge dated 31 January 1661. ordered that

Coppys of the sayde Proclamations bee deliuered to the s^d Liber H. H.
Reuell, and that Com^{on} be graunted vnto him and Elzey or
any of them to seize vppon any shippes, boates, vessels or truck
of any persons offendinge against any the Proclamations, or
the Acts to which they doe relate.

Ordered further that a Co^mission bee Graunted to William
Thorne to co^maund the Company of foote to bee leavyed and
raised at Monokin in vsuall forme, and that hee choose his
Lieut and Ensigne Ordered further that a Co^mission be
graunted to Randall Reuell, John Elzey and William Thorne
to heere and determine any causes to the vallue of 2000^l of
Tobacco or vnder and that they make choyce of som man who
may serue in the nature of a Sherriffe or Martiall to bringe
such people before them as shall be delinquent or in debt till
a County bee Erected and further order taken therein.

May vt supra. Lycence to trade for Francis Wright and
Clanson

Com^{on} for Cap^{tn} To W^m Thorne to bee Cap^{tn} at Monoakin
and Anamesick

Com^{on} to seiz all vessels &c.

Com^{on} to graunt warrts etc.

Com^{on} to keepe the peace to Reuell, Elsey and Thorne.

May the 3^o Lycence to exporte 40 barrells of Corne out of the
Province to Randall Reuell.

Idem to M^r wright to exporte 12 barrells.

Idem to M^r Elzey to exporte 12 barrells

May 5^o 1662 Lycence to M^r William Caluert to trade with the p. 151
Indians as it was formerly granted vnto Cap^t William
Boareman Vt in folio 135. he entred into recognizance vnto the
Lord proprietary for 500^l ster.

April 24^o 1662 Jdem mutatis mutandis to m^r Robt sley. he
entred into recognizance for 500^l ster.

[Choice of an Emperor of the Pascatoways.]

At a Councell held at Portobacke May 15^o 1662 p. 141
Present the Lieutenant Generall, the Deputy L^t
and Robert Clarke Esqr.

Came halfe the Mangicomaco, and halfe of the Majche-
comaco of Pascatoway nation, to whome it was by the Inter-
preter Thomas Mathewes Gent. declared that in pursuance

Liber H. H. of the request to him made the Lieuten^t Gen^{all} was now com to appoint them a Kinge or Emperour, and that hee desired to knowe whether they weare now ready to joyne with him in that affayre, and to accept of him for Emperour whome hee the L^t Gen^{all} should now chuse.

To whome they repleyed that Wannas their last lawfull kinge was by Kitamaquund murthered to the end hee might enjoy the Crowe by the Right of their succession Brother always succedeinge to the Brother till they be all dead. that Kitamaquund left noe rightful Heire, where vppon Weghucasso was by the English chosen Emperour. hee dyinge without lawfull Heire Vttapoingassenem was by them chosen, and that now Vttapoingassenem was dead without Heire alsoe, wherefor they desired that Wannasapapin the sonn of wannas might be chosen for their Empero^r

P. 142 To which they replied that when they had prepared a howse and prepared other necessarys for an Emperor then they would com to the Lieutent Generall and desire him to place the sayde Wanasapapin in the possession of the Empire ouer them. ordred that the Mangicomaco of Pascatoway doe prepare all things ready for reception of wannasapapin and that when they haue all things ready the Mangicomaco doe giue notice to the lieutenant Generall that hee may appoint a tyme to place him in the possession of the Gouvernm^t

May the 15^o 1662

At a Councell held at Portobacke present Lieutenant
Generall Deputy Lieutenant and chancellor, and
Robert Clarck Esq. Comissioner.

Came Henry Hudson Owner of the Barcke Expedition of Piscatoway in New England, which sayd Barque was seized by order from the Gouer^{or} and Councell vppon the late Act for Nauigation and increase of shippinge and made oath that sayde Barque was of new England built, and that hee himselfe is sole owner of her. where vppon it was objected ag^t him that hee had shipped Tobacco on board before hee had Entred in Bond accordinge to the Act of Nauigation or shewed Certificat that hee had in any other place entred into such bond as afors^d the euidence being Cleere that noe Tobacco was shipped on Board before seizure.

Ordred that the vessell be deliuered vp to the s^d Hudson againe but that for his neglect of runinge to s^t Marys accordinge to the Proclamation for better obseruation of the Act of Nauiga^{on} he defray the whole charge of seizeinge and secureinge the vessell, viz. to Luck Barber 1000 of tobacco, to James Lynsey 50^l to M^r Mountague. 50^l To M^r Allanson 50.

John Chareman 50. Sam. Harris 100 Thomas stanbrige 100. Liber H. H.
miles Glouers 50. Thom. Wentworth 50. and that the sayd
Hudson doe putt in Sufficient Security for to appeere at St
Marys there to enten into bond accordinge to the Act of
nauigation and increase of shippinge, and that till such security
be giuen as afors^d and that Doctor Barber and the men by him
employed for secureinge of the vessell in this order mentioned
be satisfied Doctor Luck Barber is heere by impowred to
detaine the sayd vessell

Ordred further that Enoch Doughty be brought downe to
st Marys there to make oath concerning certaine vnlawfull
goods alleadged to be a board the sayd vessell. and that
Doctor barber doe giue him notice thereof.

May 23^o 1662. To the L^t Gen^{all} of the Province of Maryland p. 143

The humble petōn. of the souldiers of the Jle of Kent.
Sheweth

That Cap^{tn} Thomas Brednox late of the Jle of Kent deceased,
Receiued for fines to the vallue of six or seauen thousand
pounds of Tobacco w^{ch} hee was to buy Dru^m and Cullers and
other necessarys for the vse of the Company, which hee hath
not donn but conuerted it to his owne vse. your Petioners
humbly Craues that there may bee an account thereof giuen to
our Cap^{tn} Will Leeads, and that hee may haue the sd Fines to
buy Dru^m and Cullors, and to dispose of the remainder for the
vse of the s^d Company at his discrecion: and your Petitioners
as bound in duty shall euer pray. Subscribed.

John Emkson, John Dobes, John smith, Richard Blunt,
Meeck Bearton, william Price, Cornelius Meateag, John Pusser, p. 144
John Gibson John Winchester, Macom Mecomy, Henry
Hare, will^m DAVIS Francis Finch George Collison, Moses
stegoll. Mathew Reead, John Winchester, Thomas Brooke.
Edmond Carphenter, Peeter Pihall, Charles Stoward, Edward
Joanes, Peeter Johnson William DAVIS, John White, John
Macrinnon, John Morgan, Richard steuens, Anthony Callaway,
Thomas Hills Thomas Osborne, Allexander Nash, Dell Lonely,
Allexander waters Joseph Newman.

May 23^o 1662 Lycence graunted vnto Major William Walters
to transporte 30 barrells of Corne out of this Pro-
vince into Virginia dated vt supra and sealed with the lesser
seale.

May 23^o 1662 M^r William Caluert Lycence to trade with the
Indians dated May the 5^o 1662, to stand in force till the
first of January next.

Hee gaue bond to the Lieut Generall according the comon
forme

Liber H. H.

[Everett's scruple of conscience.]

May ditto die At a County Co^{rt} held at Seuerne for the County of
Ann Arundell Nouember the 11^o 1661. present
Edward LLOYD Esqr Councellor Samuell Withers, M^r Robert
Burle, Roger Grosse Thomas Todd Edmond Townhill Comis-
sioners.

Whereas Captain John Collier came this day to the Courte,
certifyinge the Co^{rt} of his inability of body to take a jorney at
present downe to the Provinciaall Co^{rt} without greate hazard
and endangeringe of his health, desireinge that the Courte
would heere take his deposition, beeinge at present not fitt
nor able to goe downe, but is ready if there be further occasion
for his appeereance to giue his attendance at the Provinciaall
Co^{rt} when hee shall be there vnto required, the Co^{rt} therefore
consideringe his present Condi^on hath taken his Affidauit, and
hath imbouldened them to certifie the same to your honno^r

Nouember the 11^o 1662

Cap^m John Collier aged 33 years or thereabouts swoarne in
Court that John Aueret being prest by your Deponent apeered
accordinge to order at the place of Randevous, and then
alleged hee could not beare Armes by reason of tendernes of
p. 145 Conscience, wherevppon one John Auery profered to goe in
his place for 600^l of Tob which profer the s^d Aueret refused,
and said hee would not giue a pound: and then went away
from the place of randevous without Lycence, wherevppon
your deponent pressed the sayd John Auery in his place hee
still expecting to haue satisfaction from the sayd Auerett and
further sayeth not

subscribed

John Collier.

May 27^o 1662 Lycence graunted vnto William Wright for trans-
porting twenty fve barrells of Corne out of this Province
by order from the Lieutenant Generall.

Idem mutatis mutandis to William Bourck. by order
ditto die. vt supra.

At a Councell held at S^t Marys on fryday
the 6. of June 1662.

Present Charles Caluert Esqr Lieuten^t Generall, Phillip
Caluert Esqr. Deputy Lieuten^t Henry Sewall Esqr. Secretary,
John Bateman. Robbert Clark, Baker Brookes. Esqrs.

Ordered that the list of Tithables bee taken by the respectiue
p. 146 Sheriffs in euery County by the twentieth of July: that in the
list the name and sirname of euery tythable person, and the
howse of his aboade bee distinctly sett downe, and one copy

of the list fayre written bee immediatly sentt downe to the Liber II. II.
Gouernor and Councell, and an other Coppy faire written
sett vp in the Court howse at the next County Court in
euery County respectiue, to stand there the whole yeare. that
if the list bee false it may bee amended, and certified to the
Gouernor and Councell before the first day of september.

Then was taken into consideration an ordinance to encourage
Tanners. ordered in his verbis

An ordinance of the Gouernor and Councell
for the encouragement of Tanners of lether

For as much as the scarcity of shoes and excessiue rate of
them hath beene cheifely caused by the supine negligene of
the people of this Province skilfull in the mistery of tanning
lether whoe haue hitherto chosen rather to plant tobacco then
follow their art and calling, which would haue furnished the
Province in som measure with shoes of his owne manufacture,
and haue beene an example to other tradesmen to follow their
callings likewise, by which meanes the number of Planters
would bee much lessned, and by consequence the price of
Tobacco much raysed to the apparent aduantage of the trades-
man whoe is to bee payd with Tobacco, as well as of the planter
who plants it and for as much as som persons haue signified
their willingnes to sett on foot that necessary work of tanninge
since the last Assembly, provided they may be secured of a
quantity of hydes sufficient to keepe them at work, and at
reasonable rates, of which they make som difficulty by reason
of the quantity of hydes exported to new England Be it P. 147
ordained by the Lord Proprietary by and with the Aduice and
consent of the Gouernor and Councell, and accordinge to the
power to his said Lordsh^p in the interuall of Assemblys by his
pattent giuen: that euery person or persons that shall exporte
or attempt to exporte out of this Province any vntanned hydes
after the 20th day of August next; shall for the first offence
suffer 6 monethes imprisonment: and for the second offence
12 monethes imprisonment, and for euer afterward bee debarred
liberty to trade or trafique in this Province. And bee it further
ordained by the authority aforesaid that there be one or more
searchers appointed dayly to attend to search all shippes or other
vessells resorting to or trafiqueinge or tradinge within this
Province or any the people thereof imediately before their
departure out of the Province. and that the Secretary shall not
giue and discharge to any master or commaunder of any ship
or vessell before hee haue a certificat from the searcher that
hee hath duely searched such ship or vessell, and that hee hath
noe hydes on board. And bee it further ordained that euery

Liber H. H. person that shall tender vnto the sherriff of euery County respectiuey at his owne howse any hydes, the resptiue sherriffes shall accept the said hydes in discharge of rents due to the Lord Proprietary at these rates followeing, viz, dry hydes at 2^d p^t and rawe hydes at 1^d ½ p pound.

ordered that this ordinance be forthwith published by Proclamation.

Then it was ordered that Proclamation issue to giue notice to the Province that they are to pay their rents this yeare to the respectiue Sherriffes of euery County at the sherriffes owne howse or at Such other place or places as the sherriffs shall appoint for his one best conueniency within the respectiue County: and that in case the rents be not paid accordinge to the directions of the respectiue sherriffs, that distress shall immediatly follow. And for as much as all rents are to bee payde at s^t Marys according to the tenor of the seuerall pattents: his Lordship doth heereby giue one whole yeares notice that if any tyme after the 25 day of March next any rents or arriers of Rents shall be behind hand or vnpayd at s^t Marys according
 p. 148 to the tenor of their pattents that distress shall immediatly follow. And that his Lordsp^e haue thought fitt heereby to giue notice to the end that all persons should provide money or other Commoditys more portable then Tobacco.

Then it was ordered that this oath should bee tendred vnto euery person entreng Rights to land vppon Record.

You shall sweare that these persons heere by you named weare transported into this Province heere to inhabitt, and that noe land hath beene taken vp for them Legally within this Province soe help you God.

Then was taken into consideration a declaration by the Lord Proprietary of Maryland.

ordered that it bee published as it is heere written.

A declaration by the Lord Proprietary of Maryland.

Whereas by our declaration of the 22^o of September 1658 directed to our then Lieutenant of Maryland wee did require that in all Grants from vs of Mannors there for persons transported thither after the 20^o of June 1659 there should bee reserued to vs and our Heirs a rent of two shillings yearly for euery fifty Acres, and one yeares rent for a fine, and that in all Grants of land for persons transported after the s^d 20th day of June there should bee reserued one yeares rent for a fine to be paid vppon euery alienation of any such land, and to that end a proviso should bee put into euery Graunt that noe tenant should alien any part of the land Granted without entring it

that hee should pay the said fine before the alienation, or else the
 Alienation to bee voyd. And that our said declaration should
 be published there with all conuenient speede, which wee doe
 not heere is yet don, and if it be not wee haue reason to take
 in ill parte the neglect of those our orders. wee doe heereby
 renew them, and recommend them strictly to the care of our
 Lieutenant there for the tyme beeing to see them put in due
 execution. And wee doe further add and appoint that in all
 Graunts whatsoeuer from vs for the future of any land there
 for or in respect of any person or persons which shall bee
 transported thither after the 20th day of June next there shall
 bee reserued to vs and our Heirs the rent of two shillings
 sterling yearly for euery fifty Acres, and that this our declara-
 tion bee forthwith published there for that purpose by our
 Lieutenant or Commissioners for the Gouvernem^t there for the
 tyme beeing. Giuen vnder our hand and lesser Seale at
 Armes this 4th day of october in 29^e yeare of our dominion
 ouer Maryland and in the yeare of our Lord God 1660.

C Baltemore.

Then came Hannah Lee widdow and surrendred the howse
 and Plantation at s^t Marys purchased by the Country.

Ordered that the Chancellor and Secretary take the con-
 ueiance therof and that they giue the said Hannah Lee
 sufficient Security in the name of the Councell to pay the sum
 of Tobacco agreed vppon according to the Act of Assembly:
 and that the Chancellor and Secretary shall appoint such con-
 ueyances for the Secretarys office as they shall think fitt.

June 11^o 1662 Lycence to D^r George Hack to transporte 20 barrells
 of Corne out of this Province. p. 151

At the Court at Whitehall
 the 13th of June 1662.

P. R. O.
 Colonial Pa-
 pers. Vol.
 XVI, No. 63.

Present.

| | |
|------------------------|------------------------------------|
| Lord Chancellor | Earle of Carlisle |
| Lord Privy Seale | Lord Seymour |
| Duke of Albemarle | Lord Hatton |
| Marques of Dorchester | Lord Holles |
| Lord Great Chamberlain | Lord Ashley |
| Earle of Berkshire | S ^r William Compton |
| Earle of Portland | M ^r Vice Chamberlain |
| Earle of Norwich | M ^r Secretary Nicholas. |
| Earle of Anglesey. | M ^r Secretary Morice. |

Upon reading of a former Order of this Board of the 26th of
 May last grounded upon the Peticōn of the Planters and

P. R. O. Colonial Papers. Vol. XVI, No. 65. Traders to Virginia, declaring that by reason of vast quantities of Tobacco planted in England & other places, as well as Virginia, that Comodity is brought to so low a price, as it hardly payes the duties to his Ma^{tie} and praying that the planting thereof may be inhibited within the Capes of Virginia after the 10th of June 1663 (& so yearly) till the pretended grievance be remedied, by planting more staple comodities of Hemp, Flax, Pitch Potashes &c: and that no Shipp carrying any Tobacco shall come forth of the Capes of Virginia before the first day of May next ensuing. It was then ordered that the said Petition should be rejected & that their Lord^{sh}s then declared that thenceforth they would receive no peticōn of that nature; Upon review of which said order (at the instance of some of the aforesaid petitioners.) Their Lord^{sh}s were pleased to declare that it was not their intention to forbid or discourage the Merchants and Planters of Virginia from making their addresses to them. And ordered that the Consideracōn of the whole matter should be resumed on Fryday the 20th of this instant June at three of the Clock in the afternoon, at which time as well the said planters, merchants & Traders for Virginia & all other persons therein concerned as also the Lord Baltimore, are required to give their attendance, when such direction shall be given as shall be thought fit

Richard Browne.

Liber H. H. June 27^o
p. 151 1662

At a Councell held at the Resurrection on the 27^o of June 1662 present Charles Caluert Esqr Lieutenant Generall of this Province Phillip Caluert Esqr Chancellor of the said Province. Henry Sewall Esqr. Secretary. John Bateman. Baker Brookes Esqrs. Councillors.

Ordred that there bee a Pryson built, for the Speedy effectinge of which, Carpenters and other Workmen to attend them, bee pressed the Charges to bee defrayed accordinge to the law of England.

That whereas the Councell is informed of Seuerall Estates. which haue beene Giuen for publick and Charitable vses. ordred that the Secretary doe Issue out Sommons to all psons that are intrusted with such Estates to appeere at the next Provinciaall Court, there to giue an account of the said Estates.

[Murders by Indians.]

p. 152 At a Councell held at St Mary 28^o June 1662 p'sent the Lieut Gen^{all} Chancellor and Secretary was Reade

A letter sent from M^r Edward Loyde
vnto the Gouvernor on the 20 of June 1662.

S.

Yours of the 14^o of this instant Received concerninge the

man shott at Patapsco I onely heard p common report was Liber H. H.
dangerously shott with arrowes the people there (whether of
Judgem^t or other wise) neuer appleyed them selues to any. J
am now to acquaint you with an accident happened at the head
of the South Riuer, vizt one George Nettlfould his wife and
Kinswoman with two or three smale Children beinge returned
from a Neighbours howse found a Company of Indians in his
freighted apprehention to the number of twenty they Killed a
boy at worke, (a wench at work with the boy) escaped, the
Indians makeinge towards the man hee betakes himselfe to his
bote: the two weomen with each a Child vnder their armes
recovered the boate. and soe escapt. Then the Indians
plundred the howse of these particulars in cloased besides
Seuerall other things. J thought good to send you the list
with as much description as they gaue of them, that notice may
bee taken thereof in case any of them com to the vieu of inter-
preters, traders or any other by way of truck. Questioninge
him what Indians he thought these to be, hee Kewe not but
thinks not Mataws for they weare a fortnight afore at his
howse, and seemed to bee strangers and Killed him 2 younge
Catle, som suspition of Indians beinge still aboute the planta-
tions, there is, p reason whoopeinge and shooteinge is heard,
and Cattle cominge freighted home. The Weomen freinds
com now from their husbands desireinge ayde and assistance
addinge that their husbands will bee willinge to doe Seruice
to secure the place. J haue spoke to the Captains to cause
Skouts to be sent forth to scour the heads of the Riuers, and
if any whatsoever refuse to serue then to send to mee, and J
purpose (God willinge) to send them to you to answeere euery
such contempt. The Capitaines and Scoute men desires
speedily to haue directions from you in case they see any
Indians whey they may proceede to death if they may not bee
taken otherwise; and likewise what to doe with any such they
cann take and bringe in. J hope this vrgent occasion will
cause speedier and conueyance then formerly.

The County desires earnestly to haue the Acts sent vpp that p. 153
they may bee published and knowen. Sr J suppose it will bee
very necessary to inquire and indeauor to procure as much
Amunition as can bee gott least wee bee destitute in tyme of
neede, for J doubt there is greate want of it. J heard nothinge
of your Sloop though J inquired of one that had been at my
Plantation on Freyday last. Wth my seruice presented to my
Lord and M^r Sewall, and not forgettinge my due respects to
m^r Caluert I take leaue and Rest.

From M^r Brues in
South Riuer this 20^o of
June 1662.

Your Honnors to Comānd
Edd LLoyde

Liber H. H. The Councell approued of what M^r Edward Lloyd hath don in orderinge the Captaines to send scouts to scoure the heades of the Riuers

Ordered that Captains and scouts be speedily sent into other parts for that purpose. and that Comission bee giuen vnto the said Captaines and Scouts to kill all Indians that will not yeeld. and that notice be giuen to the neighbour Indians of what order wee haue giuen to our scouts.

Ordered that all powder and shott bee taken vp for the Country seruice.

Ordered that all Prisoners that shall be taken be sent to s^t Marys immediatly by water.

Ordered that notice be sent to Collo. Euens of this accident, and that Maio^r Thomas Brookes, and Cap^{tn} Thomas Manninge send scouts to the head of Patoxent Riuer, And Maio^r Samuell Gouldsmith and Cap^{tn} Thomas Howell send Scouts into other places. and that a letter be sent vnto the Commissioners of Charles County to giue them notice of this accident, and To Cap^{tn} Robt Troope at Portobacke to require him to bee vigilant to take allarmes if any come and a letter to the Gouvernor of new Amsell desireinge him to giue notice to the Passaionke, and Pichacomica Indians that wee haue Scouts out aboute the heades of our Riuers, whoe haue order to kill all Indians that doe not yeeld if pursued and to lett them know the Reason

p. 154 An other Letter to the Jntrepreters M^r Francis Wright and Jacob to order them to giue notice to the Suscahannoughs of our scouts, with a list of the goods plundered.

by the Lieut Gen^{all} Charles Caluert Esqr.
To Major Samuell Gouldsmith.

July 10 1662 Hauinge certaine notice that there hath bin of late one man wounded by som stranger Indians at or neere the head of Patapsco Riuer, and an other youth slaine and a house plundred at the head of the South Riuer by Indians alsoe. you are therefore vppon sight heere of to take speciall care by sendinge out Scouts to the heads of the Riuers within your diuision (or otherwise as by the aduice of the Commissioners of your County or the major part of them shall bee judged conuenient) to secure the peace and persons of the Inhabitants within your diuision from the incursions of any Indians whatsoeuer, and further to authorize you and all persons vnder your comānd, the persons of any Indians not Allyes of this Province to take and surprize, and in case of resistance to wound and kill. and I doe heereby further will and require you to send all prisoners that shall be taken by you by water immediatly to s^t Marys, and that you keepe cor-

respondence with Edward LLOYD at An Arundell County certifying him as well as vs at s^t Marys of all your proceedeings. Given at S^t Marys vnder my hand and Seale. this 1^o of July 1662. Liber H. H.

Charles Caluert

To Major Samuell Gouldsmith.

Jdem mutatis mutandis to Cap^{tn} Howell.
Jdem mutatis mutandis to Cap^{tn} W^m Burges
Jdem mutatis mutandis to Cap^{tn} John Collier
Jdem mutatis mutandis to Cap^{tn} Thom. Manninge.
Jdem mutatis mutandis to Major Thom. Brookes.

To the Right Hono^{ble} Charles Caluert Esq^r L^t
Generall of Maryland

P. 155

The Humble Peticōn of Christian Holt al^s Bonmfield sheweth That whereas your Peticon^r to all the Inhabitants adjacent is well Knowne to haue brought a Considerable Estate into your Lordsh^{ps} Prouince & hath liued in a full & plentifull manner Till such time as her vnfortunate marriage hapened wth Robert Holt She then haueinge a Considerable Estate in her Possession. And Whereas Since it hath pleased God to take away the said Robert Holt he haueinge in his Life time Confirmed all his wordly good to your^s Pet^r being inconsiderable to the Valew of what she had when she was first married to him since w^{ch} decease of the sd Holt your Pet^r being thus uertually possest by deed of Guift is neuerthelesse molested & threatned to be turned out of doores into the Woods by one Daudid Holt his said sonne.

The premises Considered your Pet^r humbly begs yo^r Hono^{rs} Iust & pious Consideracōn to redresse her Injuries she being alwaies ready to giue Such Just accounts as shall in Law be required of the same

And she as in duty bound shall
Pray

Ordered th^t the Peticōn is graunted & that the Peticon^r Christian Boniefeild al^s Holte doe giue the Secretary Sufficent security that noe Part of the Estate mentioned either in the deed of Guift dated March 2^d 1661 or Peticon, be imbezelled before such time as the Court haue determined to whome the said Estate belongeth.

Att a Councell held att S^t Marys the 28th of
Nouemb^r 1662 p^rsent the Leiuetenn^t Gener^{ll}
Chancellour and Secretary

Ordered to Augustine Herman for the receiuinge of ffces due from Severall Inhabitants of Accomack

Liber H. H. Forasmuch as there were diuers parcells of land Suruayed in Cecilton Riuer in Baltemore County for Nehimiah Couentan & others inhabitants of Accomacke Condiçonally that they should enter theire rights and Seate the sayd land by a time
 p. 156 limited as by the warr^{ts} Vpon Record more at large appeareth which Condiçons are yet unperform'd for the better Security of those parts it is therefore Ordred that it shall bee lawfull for any persons whatsoeuer to take up the Said land in the Same Quantities as the were Suruayed for the said Nehimiah Couentan and the rest of the Inhabitants of Accomacke afore-said paying unto M^r Augustin Herman the Seuerall & respectiue ffees by him payd unto the Suruay^r Generall for Suruaying the respectiue parcells and entring rights for & seating the said land within twelue months next after the date of this Order, This 20th of Nouember 1662

Signed

Hen: Sewall Secre-

Att a Councell held att St Marys this 5th day of Decembr 1662, Prsent the Leiueten^t Generall Phillip Calluert Esq^r Chancello^r Henery Sewall Esq^r Secretary Iohn Bateman Esq^r M^r Baker Brookes Councillors

To the Hon^{ble} the Leiueten^t Generall

The humble Peticōn of Phillip Caluert Esq^r

Sheweth

That yo^r Petitioner hath for some yeares past held and payd rent for the Mannors of Morton and Swale in Baltemore County without making any proffitt of them, that yo^r Pet^r Suruay'd the Mann^r of Swale meerely as a Conuenience to the Mann^r of Morton without which it is noethinge worth unto hime, Yo^r Petitioner therfore humbly prays that in regard his Lords^p hath a desire to haue the Pattent Surrendred of the Mann^r of Morton to the Jntent ther to build a Towne yo^r Petitio^r may haue Lycence to Surrend^r the Mann^r of Swale allso and that you will grant Warrant for Soe much land to hime in any other place not reseru'd for his Lords^pe nor Suruayed for others and hee shall pray &c^e

Ordered that Phillip Caluert Esq^r haue a warr^t for two thowsand acres of land in one or more places in any parte of this prouince not formerly taken up nor reseru'd for his Lordsps use, In Exchange of the said manno^{rs} of Morton and Swale wth like priuiledges as the s^d manno^{rs} had

Then Came James Jolly and desired to haue a lease for twenty One yeares of the State house att S^t marys to keepe Ordinary therin and to haue the house repaired Liber H. H.

Wherupon the Gouvern^r and Councell ordered that James Jolly haue a Lease of the aboue said howse for One and twenty yeares hee Condiçoning to repaire the said howse and to keep it tennantable for the said terme Jn Consideracõn of which the Gouvern^r and Councell haue Ordered the s^d James Jolly for to haue ffive thowsand powns of tobacco And for the said Jollyes better encouragem^t what is due from the Widdow Lee And the Leiuetn^t Generall hath likewise engagede before the Councell to pay the said James Jolly ffive thowsand powns of tobacco more in Consideracõn of the aboue saide premisses

[Denization of B. Brasseur.]

Cæcilius absolute Lord & proprietary of the prouince of Maryland & Aualon Lord Barron of Baltemore &c. To all persons to whome these presents shall come Greetinge In our Lord God Euerlasting Wheras Benojs Brasseur late of Virginia and Subjct of the Crowne of france hauing transported himselfe his wife and Children into this Prouince here to inhabite hath besought us to grant hime the said Benojs Brasseur leaue here to inhabite and as a free Dennizen freedome land to hime and his heires to purchase Knowe yee that wee willing to giue due encouragement to the Subjects of that Crowne Doe hereby De Clare them the said Benojs Brasseur his wife & Children as well those allready borne as those hereafter to bee borne to bee free Dennizens of this our prouince of Maryland And doe further for us our heires & Successors straightly Enioyne Constitute ordeine and Command that the said Benojs Brasseur be in all things held treated reputed and esteemed as one of the faythfull people of us our heires & Successors borne within this our prouince of Maryland And likewise any lands Tenements Reuenues Seruices and other heriditam^{ts} whatsoever within our said prouince of Maryland may inhirite or otherwise purchase receiue take haue hold buy and possess and them may occupie and enjoy Giue Sell alyen and bequeath as likewise all libertyes franchises priuiledges of this our prouince of maryland freely quietly and peaceably haue and possess occupie and enjoy as our faythfull people borne or to bee borne within our said prouince of maryland without the lett molestations uexacõn trouble or Greiuançe of us o^r heires and Successors any Custome to the Contrary hereof in any wise notwithstanding, Giuen att S^t Marys under the great Scale of our said prouince of maryland this fourth day of Decemb^r in the One and thirtyth yeare of Our Dominion ouer the said prouince p. 158

Liber H. H. Annoq Domini One thowsand Six hundred Sixty two Wittnes
our deare Sonn and heire Charles Caluert Esq^r Our Leiuetenn^t
of Our Said Prouince of maryland

Signed Charles Caluert

Charles Caluert Esq^r Captaine Generall of all the Forces
within this prouince of maryland under the Right Hon^{le}
Cæcilius absolute Lord and proprietary of the same, To Cap-
taine Richard Woollman Greeting, According to the power to
mee by his saide Lōrds^p Committed and upon the Speciall
trust and Confidence J haue in your fidelity Circumspectione
Courage and good Conduct I doe hereby constitute ordeine
and appointe yow Captaine under mee of the forces in Talbott
County them to muster Exercise and traine up in the art of
warr and discipline military And in all things to doe as any
Captaine of a Company of foote may or of right ought to do
to the resistance of all Enemyes suppression of all mutinyes
insolencyes insurrectiones and rebellions whatsoever according
to Such Orders and directions as you shall from time to time
receiue from mee and to that end to list such and soe many of
the inhabitants within the precincts aforesaid as yow thinke fit
and them when and as often as yow shall thinke conuenient to
muster and traine soe that they may bee in readiness as occa-
sione shall require to attend my further Commands with fitting
Armes and amunitione for the purpose aforesaide, To haue
and to hould to the said Office and Comānd till the Lord
Proprietary or his heires or his or their Leiueten^t Cheife Gouern^r
or Captaine Generall for the time being Shall Signifye his or
their pleasure to the Contrary And all persons whatsoever are
hereby strictly and required to yealde all due Obedience to yow
the said Cap^t woollman in all things appertaining to the
Comānd and Office hereby conferred on yow as they will
p. 159 answer the Contrary Att their perrell Giuen under my hand
and Seale this Sixth day of Decemb^r in the One and thirtieth
yeare of his Lords^ps Dominion ouer this Prouince Annoq
Domini One thowsand Six hundred Sixty Two

Signed Charles Caluert

[Denization of Isaack Bedlo.]

p. 160 Cæcilius &c. Whereas Isaack Bedlo late of England And of
Dutch Parents, hauing transported himselfe into this Prouince
here to Inhabite and as a free dennizen freedom land to him
& his heires To purchase, Know yee that wee willing to giue
due encouragem^t to the Subjects of that nation Doe hereby
declare him the said Isaack Bedlo to bee a free Dennizen of
this o^r Prouince of Maryland And doe further for us our heires

& Successors straightly enioyne Constitute ordeine & Com-
mand that the said Isaack Bedlo be in all things held treated
reputed & esteemed as one of the faythfull people of us o^r
heires & Successors borne within this o^r Prouince of Maryland
& likewise any lands tenements Reuenues Seruices & other
heriditam^{ts} whatsoeuer within o^r said Prouince of Maryland may
inherit or otherwise purchase receiue take haue hold buy &
possess And them may Occupy & enioy giue sell Alyen &
bequeath as likewise all libertyes franchises & priuiledges of
this o^r Prouince of Maryland freely quietly & peaceably haue &
possess Occupy & enioy as any of o^r faythfull people borne
or to bee borne within o^r said Prouince of Maryland without
the lett molestacōn uexacōn trouble or greiuanee of us our
heires & Successors any Custome to the Contrary hereof in
any wise notwithstandinge Giuen att Sainte Marys Vnder the
greate Seale Of our Said Prouince of Maryland this twenty
third Day of January In the One & thiretyth yeare of Our
Dominion Ouer the said Prouince Annoq. Domini One Thow-
sand Six hundred Sixty Two. Wittnes our Deare Sonn &
heires Charles Caluert Esq^r our Leiueten^t of o^r said Prouince
of Maryland

Liber H. H.

p. 161

Signed Charles Caluert.

Cæcilius &c. To all people to whom thes p^rsents shall come
Greeting in o^r Lord God Euerlasting Know yee that wee
reposeing much trust and Confydence in the Care dilligence &
integrity of John Nuttall And willing to Comply
January 23: 62 with hime in his request & desire Doe hereby
giue & grant to hime the said Iohn Nuttall Liberty Lycence
and Commission to trade with any the Inhabitants of this
Prouince ffor any Beauers ffurrs skinns or any other Comodityes
whatsoeuer, And to that end it shall bee hereby Lawfull
for hime the Saide Iohn Nuttall to pass upon or through any
riuier or Creeke or other Passage through any parte of this
Prouince to trade for any Such Comodities with any Indian or
Indians without this Prouince and to Exporte the same from
tyme to tyme as hee the said John Nuttall shall thinke ffit or
Conuenient Prouided that if hee the s^d In^o Nuttall shall buy or
trade for any Corne from any such Indian or Indians as
afores^d Hee doe not export the same out of this Prouince with-
out Lycence first had & obtained from o^r Leiuetenn^t or Cheife
Gouerno^r of this puince Prouided allsoe that the said Jn^o Nuttall
pay to the Lord Proprietary or his heires The tenth part in
weight or uallue of all Comodities whatsoeuer soe traded for
either by himselue or any other person intrusted by hime And
fullfill all such Condicōns as are expressed in that Act Con-
cerning trade with the Indians And Doe hereby authorize &

Liber H. H. impower him the said John Nuttall to take Ceize or Surprize the person or persons Boates uessells or trucke of any trading in any part of this Prouince without Lycence of us or o^r heires or our or their Leiuetenn^t or Cheife Gouverno^r for the tyme being And Wee doe hereby will and require him the said John
 p. 162 Nuttall in his Custody Safely to keepe the persons Boates Vessells or trucks of any person taken soe trading without Lycence untill they shall bee brought to a legall tryall before o^r leiueten^t or Cheife Gouverno^r of this Prouincē for the tyme being Provided that this Lycence unto the said John Nuttall for tradeing with the Indians shall not bee in force but untill the twenty thirde day of January next ensueing the date hereof. Giuen under the great Seale of our said Prouince of Maryland this twenty third day of Jānuary in the One & thirtyth yeare of our Dominion ouer this Prouince Annoq Domini One thousand Six hundred Sixty two Wittnesse our deare Sonn & heire Charles Caluert Esq^r Our Leiueten^t Generall of o^r said Prouince of Maryland

Signed
 Charles Caluert

The s^d John Nuttall entred on Bond &c:

Wheras J am informed that certaine Sloopes &
 January 31^o other Vessells come into yo^r County & transport away Tob. before they enter their Sloopes Contrary to the Act of Nauiga^on, & the Act Order & Lawes here established, These are therefore in his L^{ps} name to authorize yo^w to examine all & Euery p^rson attending in any Sloop or other Vessell carrying & attempting to export Tob. & not shewing Certificate of their Entry here, That then yo^w cause them to putt in good sufficient security that wthin Ten dayes att least they come eyther before the Leiut^t Gräll, of this Prouince, or the Secretary, & there make Entry of such Sloop or other Vessell as afores^t And if in case yow find any that haue loaded any Tob aboard their Vessells, & not shewing Certificate of such their Entry That then yo^w seize the same, & cause both the Vessell together wth the Tob. soe seized by yo^w, to bee conueyed &
 p. 163 brought unto the Leiut^t Gräll, to bee by him & the Councell determined and iudged of according to the s^d Acts & Orders here. Gyuen under my hand, & the lesser Seale of the Prouince this 31th Januarij 1662.

To m^r Richard Collett
 in Caluert County.

Signed
 Charles Caluert

[Immigrants from Virginia.]

Feb. 4^o Charles Caluert Esq^r Leiuten^t & Cheife Gouverno^r of the Prouince of maryland under the R^t Hon^{ble} Cæcilius

Lord & Proprietary of the same. To all p^rsons to whom these p^rnts shall come Greeting in Our Lord God Euerlasting Know Yee th^t taking into Consideracōn the Petition of diuers p^rsons well affected to this Prouince now or late Inhabitants of North-ton County, otherwise called Accamack in Virginia, who are desyrus to transplant themselues & families into this Prouince. And for the more speedy & effectuall prosequuōn of his s^d L^{ts} Command to mee to see that part of this Prouince next adioyning to the County afores^d poepled. And for the ease & benifitt of all such p^rsons who shall transplant themselues into this Prouince from Accamack afores^d I haue nominated constituted & impowred & doe by these p^rnts nominate constitute & impower John Elzey, Randall Reuell, & Stephen Horsey, or any Two of them, being wthin this Prouince to graunt War^{ts} for Land, (during the tearme of Three months next ensuing the date hereof) uppon the Easterne shoare of this Prouince in any part below Choptanck Riuer. That is to say fifty Acres for Euery p^rson transplanted uppon such Condicōns & tearmes, as are expressed in his L^{ts} Condicōns of Plantaōn now remayning uppon Record regulated according to his L^{ts} Declaraōn of the 22th of septemb^r 1658. now uppon Record allso. Prouided that Euery p^rson clayming any Land by uertue of the Condicōns afores^d for & in respect of the transportaōn of any p^rson or p^rsons into this Prouince, Doe before the s^d John Elzey, Randall Reuell & Stephen Horsey or any Two of them, & being wthin this Prouince, take the Oath of ffidelity by the s^d Condicōns of Plantaōn requyred. W^{ch} s^d Oath the s^d John Elzey, Randall Reuell, & Stephen Horsey, or any Two of them, are hereby impowred to administer, to all or any the p^rsons desyrus to transplant themselues as afores^d, before they shall haue any Warr^{ts} graunted unto them respectiue. And allso Prouided that all such p^rsons as shall haue any war^{ts} graunted be accomptable to the Secretary for the time being for all such ffees, as for the s^d War^{ts} & Entryes shall become due. And the s^d John Elzey, Randall Reuell & Stephen Horsey, are hereby requyred to keepe a Booke of all such Rights & wor^{ts} as shall bee by them or any of them graunted, distinctly recyting the name & sirname of Euery p^rson for & in respect of whose transportaōn they haue allowed any Land. And the same att the end of the Three months afores^d to Returne into the Secretaries office signed wth their hands. And for as much as in a place now poepled some differences may betweene p^rty & p^rty arise, or crimes be p^rpetrated & committed. ffor the Conseruaōn of the Peace, & better Gouvern^t of the Poeple there residing. Wee doe hereby impower the s^d John Elzey, Randall Reuell & Stephen Horsey, or any Two of them to heare and Determine all Causes not exceeding Two Thowsand

Liber H. H.

p. 164

Liber H. H. pownds of Tob. As allso to cause to bee apprehended & punished any Criminall offending agst any the Lawes of this Prouince Prouided they proceed not to take life or member, Gyuen att St Maries under the lesser Seale of this Prouince this 4th day of ffebruary, in the One & Thirtith Yeare of his L^{ps} Dominion ouer the s^d Prouince. Anōq Dñi 1662.

[Denization of Emperour Smith and others.]

p. 165 ffebruary
17^o Cæcilus Absolute Lord & Proprietary of the Pro-
uinces of Maryland & Aualon, Lord Baron of Baltemore
&c: To all Persons to whom these p^{nts} shall Come Greeting in
Our Lord God Euerlasting. Whereas Emperour Smith Subiect
to the States of Holland, hauing transported himselfe into this
Prouince here to inhabite, & as a ffree Dennizen freedome
Land to him & his heyres to purchase. Know yee th^t Wee
willing to giue due encowragem^t to the subiects of that Nation.
Doe hereby declare him the s^d Emperour Smith to bee a ffree
Dennizen of this Our Prouince of Maryland. And doe further
for Vs our heyres & Successo^{rs} streightly enioyne Constitute,
ordaine & command That hee the s^d Emperour Smith bee in
all things held, treated reputed & esteemed as one of the
ffaythfull Poeple of Vs our heyres & Successo^{rs} borne wthin this
our Prouince of Maryland. And likewise any Lands, tenem^{ts},
Reuenues Seruices & other hereditam^{ts} whatsoeu^r wthin our s^d
Prouince of Maryland may inherite, or otherwise purchase,
receiue take haue hold buy & possesse, & them may Occupy
& enioy giue, sell alien & bequeath, as likewise all Liberties &
ffranchises of this Our Prouince of Maryland freely quietly
& peaceably haue & possesse, Occupy & enioy as any of Our
ffaythfull Poeple borne or to bee borne wthin Our s^d Prouince
of Maryland, wthout the lett, molestāō uexāō trouble or
greiuanee of Vs our heyres & Successo^{rs} Any Custome to the
Contrary hereof in any wise notwthstanding. Gyuen att St
Maries under the Greate Seale of Our s^d Prouince of Maryland
this seauenteenth day of ffebruary in the 21th yeare of Our
Dominion ouer the s^d Prouince Anōq Dñi 1662. Wittnes
Our Deare Sonne & heyre Charles Caluert Esqr our Leiut^e of
our s^d Prouince of Maryland.

p. 166 Cæcilus &c. To all persons to whome these p^sents shall
come Greeting In o^r Lord God euerlasting Wheras Barnard
Vbben Subject to the States of Holland hauing transported
himselfe his wife and Children into this prouince here to
inhabite hath besought Vs to grant him the said Barnard
Vbben leaue here to inhabite and as a free Dennizen freedome
land to him & his heires to purchase Know yee that Wee

willing to giue due encouragm^t to the Subjects of that nac^on, Liber H. II.
doe hereby declare them the said Barnard Vbben his wife &
Children as well those allready borne as those hereafter to be
borne to bee free Dennizens of this o^r prouince of Maryland
And doe further for Vs o^r heires & Successo^{rs} Streightly
enioyne Constitute ordeine & Comand that the s^d Barnard
Vbben bee in all things held treated reputed & esteemed as
one of the faythfull people of Vs o^r heires, & Successo^{rs} borne
wthin this o^r prouince of Maryland and likewise any lands
tenements Reuenues Seruices & other hereditam^{ts} whatsoever
within o^r said prouince of Maryland may inherite or otherwise
purchase receiue take haue hold buy & possess & them may
Occupie & enioy Giue Sell alyen & bequeath as likewise all
libertyes franchises & priuiledges of this o^r prouince of Mary-
land freely quietly & peaceably haue & possess Occupie &
enioy as o^r faythfull people borne or to bee borne within o^r said
prouince of Maryland without the lett molestac^on uexac^on
trouble or Greiuanace of us o^r heires & Successors any Custome
to the Contrary hereof in any wise notwithstanding Giuen
att S^t Marys und^r the Greate Seale of the said prouince of
Maryland this 17th day of ffeb. in the 31th yeare of our
Dominion ouer the said prouince Annoq Domini 1662 Wittnes
o^r Deare sonn & heire Charles Caluert Esq^r Our Leiuetenn^t of
o^r said Prouince of Maryland

Commission issued to Captaine Hugh Neale of Charles p. 167
County to bee Captaine of the Company late und^r the Com^and
of Captaine Christopher Russell &c. Giuen under my hand
and seale this 20th day of ffeb^r 1662

Signed Charles Caluert

ffeb. 20th Att a Councell held att S^t Johns 20th ffeb. 1662.
Leiut^t Grall, Philip Caluert Esq^r Chancello^r Henry
Sewall Esq^r Secr. m^r Baker Brooke m^r John Bateman.

Vppon debate of the Councell, who shall bee appoynted
Commis^{rs} on th^t part of the Easterne shoare newly seated, &
adioyning to Virginia

Ordered th^t m^r John Elzey & Stephen Horsey be continued.
That Randall Reuell bee out. And th^t William Thorne &
Cap^t John Odber bee ioyned to m^r John Elzey & Stephen
Horsey in the s^d Commisⁿ

Vid. paulo
supra

Commisⁿ to Cap^t Hugh Neale in Charles County
(under Co^{ll} Will^m Euans) Mutatis Mutandis ut est in
fol. 23

Liber H. H.

March 19^o

Att a Councell held att Dela Brooke
in the County of Caluert this 19th
day of march 1662.

P^{nt} Charles Caluert Esq^r Gouverno^r
Henry Sewall Esq^r Secr.
John Bateman Esq^r } Counc^{rs}
Baker Brooke Esq^r }

Ordered th^t a Speciall Court bee held att S^r Leonards in
Caluert County on Twesday the last of this p^sent Month to
try the p^son of Patrick Dew. Who lately murthered the
Body of Richard Morton.

War^t mde to the sheriffe to summone the Wittnesses

War^t to ditt to summone Cap^t Thomas Manning as
Attorney Grall to preferre a Bill of Jnditem^t agst the s^d
Patrick Dew for murthering the s^d Rich: Morton.

War^t to ditt Sheriffe to summone 30 p^sons for Jurors
to try the s^d Patrick Dew.

1663.

March 25.

Commisⁿ to Cap^t Will^m Boareman, for trading wth
the Indians. Jdem mutatis mutandis vt est fol^o 161^o
to John Nuttall.

The Bond for those to giue who haue Comisⁿ
to trade wth the Indians.

This day came Cap^t Will^m Boareman Gentⁿ & acknowledged
himselfe endebted unto the R^t hon^{ble} the L^d Prop^r of this
Prouince in the iust & full sume of fīue hund^d pownds sterl. of
lawfull money of England to bee payd att or afore the day
of next ensuing the date hereof in Case hee the s^d William
Boareman shall not come & yeild up a p^rfect & true accompt
of the Tenth part in weight or ualue of all Comōdities what-
soeu^r traded for with any Indian or Indians whatsoeu^r eyther
by himselfe or any other p^son intrusted by him unto the L^d
Prop^r of this Prouince or his heyres, or his or their Leiut^r or
Cheife Gou^r for the time being. Or any other Officers or
Officers by him or them impowred therein, when hee thereunto
shall bee lawfully called. And in Case hee doth trade for any
Corne hee doe not export the same out of this Prouince wthout
Lycence first had & obtayned from the Leiut^r or cheife Gou^r for
the time being. And doe not fullfill all such Condiçōns as are
expressed in the last Act Concerning Trade wth the Indians.
ffor the w^{ch} paym^t well & truly to bee made and done hee the
s^d Will^m Boareman doth bind himselfe his heyres Exec^{rs}
Admistr^s & assignes firmly by these p^sents. & doth here-
unto sett his hand & Seale this 25^o day of March 1662

March 27 Whereas J am informed th^t Certaine Barks, Catches Liber H. H.
P. 169
Sloopes & other Vessells come into this Prouince to trade & transport away Tob out of the Prouince before they come & enter such their Barks Catches Sloopes & other Vessells as afores^d Contrary to the Act of Nauigaōn & the Act & Orders of this Prouince in th^t Case Provided. And reposing speciall trust & confidence in the integrity of yo^w Richard Collett J doe hereby authorize yo^w & likewise impower yo^w the s^d Richard Collett to examine all & Euery p^rson or p^rsons attending on, or sayling in such Barke, Catch, Sloop or other Vessell carrying or attempting to eaport away Tob. out of the Prouince & not shewing Certificate of their Entry of such Barke Catch Sloop or other Vessell in this Prouince, That then yo^w cause all such persons attending on or sayling in such Vessells as afores^d to putt in good & sufficient security that wthin Ten dayes att least they come eyther before the Leiut^t Gräll of this Prouince & the Secretary, & there before them make entry of such Bark Catch, Sloop, & other Vessell as afores^d. And in Case yo^w shall find know or heare of any Barke' Catch Sloop or other Vessell not hauing made entry thereof in this Prouince, & exporting, or attempting to export Tob. out of the Prouince, yo^w surprize & seyeze the same, & cause both the Vessell & the Tob. soe laden on Board, & soe seized by yo^w to bee conueyed & brought unto the Leiut^t Gräll, to bee by him & the Councell determined & iudged according to the Acts & Orders here And further J doe hereby impower yo^w the s^d Rich: Collett (in such Case yo^w shall iudge it needfull & requisite) to presse Men Ammunition & Armes for the more speedy surprizing & seising such Barke, Catch Sloop & other Vessell exporting Tob hence, & not hauing made such entry as is requisite, Contrary to the Act of Nauigaōn, & the p. 170
Law & order of this Prouince Gyuen att S^t Maries this 27th day of March 1663.

Signed.

Att a Councell held att S^t Johns 8^o Aprill 1663.

Pntr }
Leiut Gräll
Philip Caluert Esq^r
Henry Sewall Esq
Mr Baker Brooke }

[Scarborough's Proceedings.]

was read a lfe from M^r John Elzey to M^r Sewall

Hond S^{rs} By the last oportunity of Conueyance w^{ch} was by John Anderson, Wee gaue yo^r hon^{rs} acc^t of what Co^{ll} Scarborough writt to M^r Reuell, as Concerning their Claime to this place.

Liber H. H. & haue euer since expected some Instructions from the hon^{ble} Leiu^t Grall how Wee should answere him, if hee should come up. But as yett can heare none.

Sr since th^t time of writing my busines drawed mee downe to
 Accamack, where Co^{ll} Scarborough arrested me att his Ma^{ties}
 suite, & made his demand of Obedience & Rights for Land
 The Copie whereof J haue here enclosed, & the Copie of my
 answere to it, wth out w^{ch} J could not haue done my busines,
 nor haue returned home before J had beene att James Towne.
 Where J doe beleiue it would haue beene exacted more p^rticu-
 larly. Co^{ll} Scarborough telling mee, th^t my answere was like
 to th^t of the Diuell of Delphos. When hee had my Responce
 hee told mee That if hee could hee would bee up wth us before
 James Towne Court, if not presently after, & make the same
 demand of euery p^rticular p^rson, & on denyall would according
 to his Order sett the Broad Arrow. on the howse of him that
 should refuse to giue a satisfactory answere, & promises greate
 protection, on submission.

Now J beseech yo^r hon^r th^t yo^w will wth what speed yo^w can, urge his L^p to consider our Condi^cōn, how Wee lye betweene Sylla & Charibdis, not knowing how to gett out of this Labarith. J could not understand but th^t hee doth intend to come up wth a Competent Company to force us, who are not in a Capacity to defend our selues ag^st the Pagans, who doe grow uery insolent, & tells vs that Wee are Lyars, & th^t our greate Men care not for us, because th^t none of them comes to us. J would gladly haue wayted on yo^r hon^{rs} but cannot att p^rsent, by reason of an extreame Cold, th^t hath seised in mee. But because J would not haue these Miscarry, J haue sent my freind, by whom I shall exspect your answere to the satisfaction of all the Inhabitants, who doe much desyre to serue his L^p faythfully, & liue quietly under his Protection & gouern^t To enioy that little goods they haue in peace, & not haue it Macerated & torne from them because they are ignorant. Thus hoping yo^w will thinke of us and prouide for o^r safeties, that, cannot helpe our selues. J shall omitt att p^rsent what further discours J haue heard, vntill it shall please god that J see yo^w & rest

Monanoakin this yo^r hon^{rs} euer flaythfull
march 1662. & ready seruant
John Elzey.

Co^{ll} Scarboroughs demand.

Mr John Elzey

This day as J am his Ma^{ties} Treasurer & substitute J doe demand of yo^w Obedience & acknowledgm^t to his Ma^{ties} dues in poynt of Right for Land & Gouvern^{mt} w^{ch} though hitherto uppon some reasonable p^rtences yo^w haue declyned. J haue

uppon better information & doe by these p'sents demand yo^r Liber II. II.
p. 172
immediate Obedience to his sacred Ma^{ty} in poynt of Right for
Land & gouern^t, to w^{ch} yo^r answere & Submission is requyred
by mee his Ma^{ties} Officer this 23th of ffebruary 1662.

E. S.

Vppon some delays & Scruples made by M^r John Elzey
J demand Right of Land in & uppon the place where hee
lyueth, & subiection to his Ma^{ties} Govern^r being in a place now
called Monanoakin, formerly in Smiths Map Wicocomoco Riuer

E. S.

M^r John Elzies answere

M^r Scarborough

Honowred S^r hauing perused yo^r demand of Obedience &
acknowledgm^t to his Ma^{ties} dues in poynt of Right for gouern^t
I can giue noe other Responce then this That J shall decline
as long as J liue all authority th^t shall be deriued from him his
heyeres or lawfull successo^{rs} & am & shall bee allwayes ready
to yeild Obedience to then th^t is or shall bee o^r Gou^r by any
authority graunted from him, or any of his Lawfull successo^{rs},
& will willingly pay all such Rights & dues as shall bee law-
fully demanded of mee, whither in Right of Land or otherwise,
& soe shall J subscribe this 23th of ffebruary 1662.

J. E.

Vppon reading of this letter, Jt is Ordered That a Letter bee
sent to S^r Will^m Barkeley Gouverno^r of Virginia from the
Gouverno^r & Councell here, signifying unto him Co^{ll} Scar-
boroughs demands of Obedience & acknowledgm^t to his Ma^{ty}
in poynt of Rights of Land from the poeple inhabiting att
Monanoakin, & Anamessecks, as well as submission to his
Ma^{ties} Gouverno^r of Virginia. And th^t on their part, they would
appoynt a time When Wee on our part shall attend on them p. 173
to Determine that place w^{ch} shall bee accounted Watkins Poynt,
according to his L^{ps} Patt^t for Maryland.

Vppon Informaōn gyuen to the Councell That Cap^t Samuel
Tilghman hath uttered sundry scandalous, Contemptuous &
seditious words agst the Gouverno^r & Councell, & the proceed-
ings in the gouern^t of this Prouince

Ordered th^t a speciall writt bee fortwth gyuen out, to arrest
the s^d Cap^t Tilghman to appeare eyther by himselfe or Attorney
att the next Prouinciall Court to bee holden att S^t Maries 2^o Junij
next to answere such his contemptuous speeches as afores^d
And in Case hee depart the Prouince before th^t time Then that
his Attorney bee lyable to such Censure as shall bee then im-
posed & Ordered by the Court.

Liber H. H. Aprill 28^o

Commisⁿ Exiuit prout in Ordine to Councell to M^r
 John Elzye M^r Stephen Horsey, M^r Will^m Thorne,
 Vid. fol. 167. & Cap^t John Odber. vt supra in Ordine.

[Over-production of Tobacco.]

Sr Will^m Berkeley his Letter to the Leiut^t
 Grall of Maryland.

Right Honourable.

What necessities the Inhabitants of these parts of his Ma^{ties} Dominions groane under by reason of the contemptible ualue of Tobaccoe, The only Comodity wee haue yett fownd to subsist by. J thinke yo^r owne sufferings as well as ours giue yo^w such sensible though sad experience of, that J haue noe need to use any other Arguments to euidence the truth of the Demonstraōn. And as little to proue That the greate quantity made, is the only cause of the inconsiderableness of the price.

p. 174

This Sr Comeing to his Ma^{ties} knowledge, whose gracious Care extends to the remotest parts of his Dominions hee was pleased by his last instructions to mee, to propose to his Councell here, the languishing condicōn of this his first & most hopefull Colony. And among Our selues to Consider of some such Expedient, as might giue a stopp to that ruine which wthout it must ineuitably fall uppon us.

His sacred Ma^{ty} being also sensible that the Plantaōn of Maryland is soe incorporated wth this in Interest of Trade That noe effectuall remedy can bee applied to one wthout the compliance of the other. Was pleased therefore to giue us directions to treat wth yo^w about it.

In Obedience to these Royall Comānds J and the Councell here haue considered of the meanes of Redresse, & authorized the Gentlemen of the Councell Co^{ll} Richard Lee, Co^{ll} Robert Smith, Co^{ll} John Carter, & M^r Henry Corbin our Commis^{rs} to communicate our Results to yo^w, & appoynted the Eleuenth day of May next to bee the time, & the County Court howse of Northumberland County the place for Conference.

My earnest desyre is th^t yo^r hono^r would not fayle to appoynt other Commis^{rs} to meete them att that time that J may by this shipping render an account to his Ma^{ty} of the issue of our Consultaōn, who J am sure expects it. And hath commanded mee to giue it. And further to certify him of yo^r Acceptance or Refusall, Vppon w^{ch} his ma^{ty} himselfe hath promised to apply a suitable remedy.

I hope Sr yo^r owne Concernem^{ts} wthout enforcing other Argum^{ts} will induce yo^w to p^rforme my desyre of this meeting, att w^{ch} I question not but such probable meanes of repaying

the ruinous State of these two neighbo^r Plantaōns will bee Liber II. H.
proposed as shall find in yo^w a ready embracem^t and accept-
ance.

This worthy Gentleman M^r Richard Bennett att the instance
of mee & the Councell hath taken upon himselfe the trouble p. 175
of deliuering this to yo^w by whome if yo^w Returne yo^r accept-
ance, & that the urgency of yo^r affayres might permitt us the
honour to see your selfe att the Conference, Both J & m^r Sec-
retary unlesse hindered by the interposall of some unexpected
and pressing occasion, would come to wayte upon yo^w att the
time & place appoynted. And in the meane time am

Hon^d S^r Yo^r most humble seru^t
William Berkeley.

The Leiut^t Grāll. his answere &c:

Most Honoured S^r

I haue receiued yo^r letter by the hands of m^r Bennett &
haue acquainted his L^{ps} Councell here wth yo^r desyre therein,
who are most willing to serue the Countrey, and are ready to
ioyne in anything, w^{ch} may conduce to the improueing our
only commodity att p^rsent, Tobaccoc, w^{ch} Wee as well as yo^w
are to sensible is of so meane a ualue, th^t wee can hardly
subsist by it, & this cheifly occasioned by the uast quantities
yearely planted, both in Virginia & Maryland.

Of this Wee are sufficiently satisfied, & haue long labourd
& studied a meanes to aduance, for w^{ch} if any expedient may
bee fownd, None J am certaine are more ready to embrace
then Our selues, soe much wee haue desyred it, that wee haue
only expected yo^r ioyning wth us, w^{thout} w^{ch} wee conceiued it
not possible to bee effected to Our aduantage.

Yo^w hauing bene pleased S^r to signify yo^r desyre towards it,
wee shall most cheerefully ioyne wth yo^w, and I doubt not but
his Ma^{ty} will find as ready a Compliance from us in Obedience
to his Royall Commands, as from any other his subiects.

His L^p in his last letters to mee gaue mee this busines in p. 176
charge according to his Sacred Ma^{ties} Commands to him to
signify the same unto his Gouverno^r & Councell here, this it
selfe (did not our owne necessities force us to seeke some
redresse) were more then enough to begett in us, an humble
Compliance wth his ma^{ties} pleasure herein.

I shall not fayle to appoynt Commis^{rs} for to attend those yo^w
haue nominated, & att the time & place yo^w haue mentioned.
Where J will endeauo^r my selfe to wayte on yo^w, if other Busi-
nes of w^{ch} J am to giue his L^p an accompt of by this shipping,
doe not disapoynt mee of th^t honour.

S^r I hope some way may then bee fownd & agreed on, by
w^{ch} wee may better our State & condicōn, w^{ch} for the p^rsent

Liber H. H. wee are in. This J question not but will bee accepted of by all here in generall, & most in p^ticular by

Honoured S^r Yo^r most humble scrut^t
Charles Caluert.

Att a Councell held att S^t Maries 28th Aprill
1663.

Pntr Leiut^t Gräll
Chancelo^r
Secretary.

Vppon Considera^on had of the Ouerture made fro' the Gou^r & Councell of Virginia, for a meeting of Commis^{rs} from this Prouince uppon the Eleauenth of May next. Ordered that Commis^{rs} bee sent from this Prouince to meete att the time & place appoynted by the Gouerno^r & Councell of Virginia And that a Boate & hands bee press'd to giue M^r Henry Coursey & M^r Edward Lloyd notice to meete att S^t Maries on the Eighth day of may next.

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Att a Councell held att S^t Maries
30th Aprill 1663.

Pntr Leiut^t Gräll
Chancelor
Secretary.

M^r Thomas Mathewes being summoned to make his appearance this day, & giue in an acc^t of the Estate of Edward Cotton deceased, according to an Ord^r of th^t Councell 27^o Vid fol 151 June last. Who appearing according to Summons, And the Attorney likewise of Raph Crouch appearing, in whose hands part of th^t Estate was left. But the proceedings in this Busines haue rela^on to the Prouinciall Court. The Acc^{ts} belonging to th^t Estate, & other things incident thereto, & the Order of this p^{nt} Councell concerning the same are entred on the Prouinciall Records of this Prouince

Att a Councell held att S^t Johns
this 8^o May 1663.

Pntr Leut^t Gräll } M^r Henry Coursey }
Chancelo^r } M^r Edward Lloyd } Councello^{rs}
Secretary }

Vid. fol. 173. was Read S^r Will^m Berkleys letter in Order to the Conference to bee held in Northumberland County, in Virginia &c: & according to that former order of the Councell 28^o Aprilis last.

Ordered that a Commisⁿ bee drawne impowring Certaine Liber II. II.
Commis^{rs} of this Prouince (hereafter to bee named by the
Leiu^t Gräll) to Treat^e wth the Commis^{rs} of Virginia Concerning
the Proposals then & there to bee made. And Instructions
likewise in Order to the same.

Ordered likewise That a Boate & hands bee pressed to p. 178
Conuey the s^d Commis^{rs} ouer Patowmeck Riuer, to the
appoynted place, by the 11th of may.

And the Leiu^t Gräll nominated Philip Caluert Esq^r Chancelor,
Henry Sewall Esq^r Secretary, M^r Henry Coursey & M^r Edward
Lloyd, Commis^{rs} to the intent afores^d

Charles Caluert Esq^r Leiu^t & cheife Gouverno^r of the
Prouince of maryland, under the R^t hon^{ble} Cacelius Absolute
Lord & Proprietary of the same, To all Persons to whom these
p^{nts} shall come, Greeting in Our Lord God Euerlasting.
Whereas uppon a Petⁿ to his most sacred Maiesty p^rferred 26th
may 1662 in the name of the Planters & Traders to Virginia
complayning of the Decay of that Trade, caused by the exces-
siue quantities of Tobacco, planted as well in th^t Colony, as in
this Prouince of Maryland & other places. It was by his
Maiesty wth aduice of his Priuy Councell on the 29th day of
June 1662 Ordered That a letter should bee written, from his
Maiesty to the Gouverno^r of Virginia, That hee should endeaou^r
by consulting wth the Planters in Virginia, & wth the Lord
Baltemores Leiu^t of maryland, or Commis^{rs} to bee appoynted
by his s^d Lo^dship, to agree vpon the promoting of planting
hemp, & flax, & other considerable co^modities in these
Colonies, & the lessening the planting Tobacco here. And
that the Restraint for planting Tobacco might bee alike, in
both places. That another Letter should bee written to the
Lord Baltemore att the same time from his Maiesty to his s^d
Lo^p, Recommending the like to him, & that his L^p should giue
direction to his Leiu^t in Maryland, to consult wth the Planters
there, to appoynt Commis^{rs} to consult wth his Maiesties Gou^r of
Virginia, or such Commis^{rs} as hee should appoynt for th^t pur-
pose. Now Know Yee that according to the tenor of his L^{ps}
instructions to mee in th^t behalfe directed, & in Compliance p. 179
wth the desyres of the R^t hon^{ble} S^r William Berkeley his Maies-
ties Gouverno^r of Virginia to mee signified by his Letter. I
haue hereby Constituted, ordayned & appoynted, & doe by
thes p^{nts} Constitute, ordaine & appoynt Philip Caluert
Henry Sewall, Edward Lloyd & Henry Coursey Esq^{rs}, Com^{rs}
to treat^e & aduise wth such Commis^{rs} as are appoynted by the
R^t hon^{ble} S^r william Berkeley, his Maiesties Gouverno^r of Vir-
ginia, about the Lessening of the quantities of Tobacco, &
aduancing more staple Co^modities, & to agree uppon such

Liber H. H. wayes & meanes, as by Common Consent shall bee thought most conducing to the ends afores^d. And after such Agreem^t soe to bee made, to promise that an Assembly shall bee called here in Marylend, to whom the s^d Agreem^t shall bee propounded, in case the Commis^{rs} from the Gou^r of Virginia shall promise to propownd the s^d Agreem^t to an Assembly there. Wherefore J doe request that the aboue mentioned Commis^{rs} Philip Caluert Henry Sewall, Edward Lloyd & Henry Coursey, may bee credited & beleiued, promising to ratify, confirme & approue whatsoever shall bee done by them, according to this my Commisⁿ as if it were done by my selfe. Gyuen att S^t Maries, under my hand, & the Lesser Seale of this Prouince of Maryland the 9th day of may 1663.

Charles Caluert

Att a Conferance held att M^r Allerton's in Wiccocomoco in Virginia the 12th may 1663 by the Commis^{rs} appoynted by the R^t hon^{ble} S^r William Berkeley Kⁿ^t Gouverno^r and Cap^t Grall of Virginia on the behalfe of Virginia. And the Commis^{rs} appoynted by the hon^{ble} Charles Caluert Esq^r Leiut^t & Cheife Gouverno^r of Maryland on the behalfe of th^t Prouince

p. 180 Whereas his Maiesty of Greate Brittain & Ireland taking into his Royall Consideraⁿ the p^{nt} necessities aswell of his Colony of Virginia as of the Prouince of Maryland by his Order of the 29th June 1662. Commanded that Com^{rs} bee appoynted for each Gouverm^t to meete & consult of the best meanes of the aduancing the only Comodity of these Countries, Tobacco. Wee the subscribed Commis^{rs} haue therefore in Obedience to his s^d Ma^{ties} Royall Commands considered severall wayes of improueing the s^d Comodities, & haue Concluded the only best way to bee, the Lessening the greate quantities now made, w^{ch} glutt all marketts, & of many wayes of Lessening it A Stint to Certaine dayes of planting to bee the most fitt, and of easiest practice, & doe therfore conclude & agree.

ffirst That itt bee proposed to the respectiue Assemblies of each Gouverm^t That noe Tobacco shall bee planted or sowed in eyther Colony, in the succeeding yeare sixteene hund^d sixty ffowre, after the 20th day of June, uppon such forfeiture & punishm^t, as shall bee thought by the s^d Assemblies, effectuell for such a Restraint. And th^t the s^d Restraint bee continued for one yeare only, unlesse the s^d Assemblies shall thinke fitt. to Continue it longer.

Secondly it is agreed on by the Commis^{rs} afores^d That in order to the Confirmaⁿ of the aboues^d Agreem^{ts}, The Gou^r of Maryland shall call an Assembly of that Prouince to meete

about the middle of Septemb^r And to send the Result of the s^d Assembly unto the Gou^r & Councell of Virginia wth all possible speed they may. Liber H. II.

And Lastly It is Concluded on, that for the mutuall satisfaction of both the s^d Gouvern^{ts} That the Gou^r & Councell of both Collonies, shall bee sworne solemnly, by Commis^s ap-
poynted on eyther side, to take their Oath, to doe their vttmost
endeauo^{rs} to cause the s^d Law for stinting (if confirmed) to bee
duly executed, according to the true intent & meaning of the
propositions.

Philip Caluert
Henry Sewall Secr
Ed: Lloyd.
Henry Coursey.

Tho: Ludwell Secr.
Rich: Lee
John Carter
Robt. Smith.
Henry Corbyn.

Commis^s to Commissions Exier^t By order from the Leiut^t Grall. p. 183
sheriffs 1663 prout in ordinarie. fol. 149. this 16 May 1663.

Coll Wm Euans. To Co^{ll} Will^m Euans Sheriffe of S^t Maries
County.

Mr Rich: Collett. Jdem Mutatis Mutandis to M^r Rich Collett
Sheriffe of Caluert County.

Mr ffran: Pope Jdem Mutatis Mutandis to M^r ffrancis Pope
Sheriffe of Charles County.

Mr Sam: Chew. Jdem Mutatis mutandis to M^r Samuel Chew
Sheriffe of Añarundell County.

Mr Wm Hemesly. Jdem Mutatis Mutandis to M^r Will^m Hemesly
Sheriffe of Kent County.

Mr Jno Collett Jdem Mutatis Mutandis to M^r John Collett
Sheriffe of Baltemore County.

Mr Wm Hambleton Jdem Mutatis Mutandis to M^r Will^m Hamilton
Sheriffe of Talbott County.

[Election of Emperor of Pascatoway.]

p. 181

Att Pascatoway 1^o June 1663.

Charles Caluert Esq^r Gou^r }
Henry Sewall Esq^r Secr. } for the English.
Jerome White Suru^r Grall }

Liber H. II.

| | |
|------------------------------|--------------------|
| The Greate men of Pascatoway | } for the Indians. |
| The King & Greate men of | |
| Chingwoatyke. | |
| The King & Greate men of | |
| Portoback & Mattawomen. | |

The Leiut^t Gräll arryuing att Pascatoway on the Thirtieth day of May, according to Agreem^t wth the Indians, concerning the Election of a New Emperour for that Nation (their former Empero^r being dead) The next Day came the Kings & Greate men of all the Neighbouring Townes: who satt in Councell about the s^d Election. And hauing Concluded thereon on their parts.

They presented on the day following, being the first day of June to the R^t hon^{ble} the Leiut^t Gräll, a yowng yowth named Nattowasso, about Eleauen yeares of age (This yowth being the eldest sonne of Wahocasso late Empero^r of Pascatowoy deceased) to bee their Empero^r. And requested the Leiut^t Gräll to approue of their s^d Election, & to confirme the s^d Nattowasso Empero^r of Pascatoway.

Their Reasons why they made choyce of this yowth to bee Empero^r are these. Declaring how th^t in times past there were lyuing att Pascattoway Two ffamilies; out of w^{ch} Two ffamilies, their Kings were chosen. The one being the ffamily of Wannys, The other the ffamily of Wahocasso. Of w^{ch} Wahocasso this Nattowasso descended, hee being his Eldest sonne as afores^d.

p. 182 further the Indians shew, That there is a Daughter of the ffamily of Wannys, now lyuing att Pascatoway, & about the same age, wth this yowth now elected by them. To w^{ch} yowth they doe intend to marry this Daughter of Wannys ffamily, whenas they shall attaine to mature yeares: Referring themselves still to the Gouverno^r & Councell of this Prouince, if soe bee they shall iudge it Conuenient, & approue thereof, & not contradict them therein: To whose power they doe submitt themselves.

ffurther they Request That this yowth (formerly called Nattowasso bee hereafter called Wahocasso after his ffathers name.

Lastly they desyre the Leiut^t Gräll to approue of & allow this their Election of Nattowasso, now Wahocasso. And Likewise th^t the English, will protect him uppon all occasions.

To w^{ch} last proposition the Leiut^t Gräll (by his Interpreter) answered. That hee would both protect him & defend him, And then charged the Indians That they should not presume to wrong him uppon any pretence, eyther by poysoning of him, or by other indirect wayes. Assuring them, That if any such

thing should happen, & bee committed by them, hee would (together wth the Councell of this Prouince) bee uery inquisitue concerning the same, & inflict condigne punishm^t uppon the Offenders therein. Liber H. II.

As to th^t other proposition Concerning the uniting of those Two ffamilies, the Leiut^t Gräll would say nothing att p^{nt}. There being time enough, before eyther of them bee of mature age, to discusse that Busines.

To all the rest concerning Nattowasso now called Wahocasso the Leiut^t Gräll gaue his assent thereto. And hee was accepted of, & acknowledged as Empero^r After w^{ch} some few Indian Ceremonies passed. And then the Leiut^t Gräll, and the English departed

By the Leiut^t Gräll.

p. 183

Whereas J am gyuen to understand that some Demurr is made Concerning yo^r officiating the Office of Sheriffe untill yo^w haue taken yo^r Oath in yo^r County Court, & gyuen Security, as in yo^r Commisⁿ is prouided for. And whereas the Commis^{rs} of yo^r County doe not intend to hold Court in yo^r County untill the Eighth or Tenth day of July next, before w^{ch} time the List of Taxeable p^rsons must be returned, (according to a speciall war^t to yo^w directed for that purpose.

These are therefore in the name of th^t R^t hon^{ble} the Lord Proprietary of this Prouince to will & requyre & likewise to impower yo^w ffrancis Pope That forthwth uppon sight hereof, yo^r warne & Conuene together att a Certaine day to bee by yo^w appoynted M^r Henry Adams, M^r Thomas Mathews M^r Raph Beane & M^r Will^m Marshall together wth the Clark of yo^r County Court; And th^t before them yo^w take yo^r Oath, belonging to sheriffe, as is to yo^r Commisⁿ affixed, & giue Bond likewise as is prescribed by act of Assembly in th^t behalfe. And th^t thereuppon yo^w doe all things belonging to yo^r Office of sheriffe wthout further delay. Lastly that yo^w cause the Clarke of yo^r County Court to send downe to the Leiut^t Gräll & Councell wth what speed hee may, his Certificate of the proceedings herein. Gyuen under my hand this ffowrth day of June 1663. p. 184

Charles Caluert

To M^r ffrancis Pope.

At y^e Court at Whitehall
the 24th of June 1663.

Present

The Kings most excellent Majestie
in Councill.

P. R. O.
Colonial
Entry Book.
Vol. 60, p. 11.

A Minute of Lr^{es} to y^e severall Gov^{rs} of
his Ma^{ts} Plantacōns in America viz^t

| | | |
|---------------------------------------|------------------------|-----------------------------|
| S ^r W ^m Berkely | } Gov ^{rs} of | Virginia |
| Philip Caluert Esq ^{re} | | Mary land |
| L ^d Willoughby of Parham | | Barbadoes |
| Coll: W ^m Watts | | S ^t Christophers |
| Coll: James Russell. | | Mevis |
| Coll: Roger Osborn | | Montserat |
| John Bunckley Esq ^{re} | | Antego |
| Coll: W ^m Byam | | Surynam |
| S ^r Charles Littleton. | } New England. | Jamaica |

Whereas by a late Act of Parliament entituled an Act for encouraging & encreasing of shipping and navigation all Forreign Trade is prohibited to any of his Ma^{ties} Plantacōns and all those of his Ma^{ts} subjects that saile unto any of them are required to give security to return with their lading for England, Ireland, Principality of Wales or Town of Berwick upon Tweed as in the said Act is expressed wth strict cōmand unto the Gover^r of the said Plantacōn to see the same performed accordingly, wth great penalties upon such Gov^{rs} as connive or neglect putting the said Act in Execution who are enjoyned alsoe to take Oath that the said Act be punctually observed, yet being informed by Masters of ships and others trading to Virginia, Mary Land and others his Ma^{ts} Plantacōns of many neglects or rather contempts of his Ma^{ties} commands for the true observance of the said Act (w^{ch} soe highly concernes the encrease of shipping and the regular Trade of his Ma^{ties} Plantacōns together with his Revenue that proceeds from thence) through the daily practise and designs set on Foot by Trading into Forreign parts from Virginia Mary land and other his Ma^{ties} Plantacōns both by land and sea as well unto the Menades and other Plantacōns of the Hollanders as into Spain Venice and Holland occasioned through the neglect of those Gov^{rs} in not taking a view of all forreign built ships w^{ch} come into their Plantacōns whether they have a certificate of their being made free according to the Act as alsoe in not duely taking Bond (before any ship be permitted to lade) that what ever cōmodityes they shall take in at any of His Ma^{ts} Plantacōns the same shall be carryed to some other of his Ma^{ties} Plantations or into England Ireland, Wales or Town of Berwick upon Tweed w^{ch} Bonds are to be returned twice every year unto the Officers of the Custom House in London butt hitherto it hath not been done of w^{ch} neglect and contempt his Ma^{ty} is sensible and therefore doth require and cōmand you that for

P. R. O.
Colonial
Entry Book.
Vol. 60, p. 11.

the time to come a perfect account be kept by you in that Plan-
tation of all ships that shall load there, and return the names
both of the Masters and the ships together with true Copies of
all such Bonds as shall be taken by you there twice in every
yeare unto the Offic^{rs} of the Custom House in London as afore-
said w^{ch} if you shall forbear to do upon Informacōn thereof and
that any ships freighted there shall contrary to the Law trade
into forreign parts, his Ma^{tie} will interpret it a very great
neglect in you, for w^{ch} he is resolved to cause the Breach of the
s^d Act to bee prosecuted according to the Tenor thereof, and
discharge you from that employ^{mt} It being his pleasure that the
s^d Law be very strictly observed, in regard it much concerneth
the Trade of this Kingdome.

All which wee have thought good to lett you know that you
may not pretend ignorance butt observe all such orders as are
directed by the said Act, whereof you are not to fail as you
will answer the contrary at yo^r Perill. And so &c:

Dated 24 June 1663. Signed

| | |
|---|---|
| Lord Chancellor | L ^d Seymour |
| Marq of Dorchester | L ^d Hatton |
| L ^d Great Chamberlain | L ^d Holles |
| L ^d Chamberlain | M ^r Treasurer |
| Earl of Sandwich | M ^r V: Chamberlain |
| Earl of Middleton | M ^r Sec ^{ry} Morrice |
| Earl of Carberry. | M ^r Sec ^{ry} Bennett. |
| L ^d B ^{pp} of London. | |

Att a Councell held att S^t Johns
4 July 1663. omitted in itts due place

Liber II. II.
p. 192

| | | |
|--|-------------------|-------------------|
| Pntr Charles Caluert Esq Gour ^r | } Mr John Bateman | |
| Philip Caluert Esq Chan: | | } Mr Baker Brooke |
| Henry Sewall Esq Secr | | |

This day Jerome White Esq Surueyo^r Gräll of this Prouince,
Came, & tooke his Oath as Councillor of State.

Were then Read Certaine Irēs sent from the Jnhabitants of
Baltemore County, att the head of the Bay Informing the
Leiu^t Gräll & Councell of a Certaine Murther lately committed
by some Indians (unknowne to any there who they were)
uppon Two Jnhabitants, att the head of the Bay & one other
in Patapsco Riuer, wth Two yowng yowths allso w^{ch} those
Indians haue eyther carryed away. or killed.

Ordered th^t M^r George Goldsmith be forthwth sent for back
to S^t Maries, who was the messenger th^t brought the newes of
all these accidents. Who is not yett (as is supposed) departed

Liber H. II. from Mattapaniant, tooards the head of the Bay. To carry up the Leiu^t Gralls order to the Inhabitants there.
Order sent accordingly

p. 183 August 3^o 1663. Articles of Peace & Amity Concluded betwixt the hon^{ble} Charles Caluert Esq^r Gou^r Philip Caluert Esq^r Chancello^r Henry Sewell Esq^r Secret. M^r John Bateman Councello^r on the behalfe of the L^d Proprietary of this Prouince of Maryland & Hocpeckquomeck, Lennoswewigh, & Colaccameck Kings of the Delaware Bay Indians by their Embassadors, Monickta, Chehooock, & Tichacoon sent to treatte att the ffort of New Amstill this 3^d day of August 1663.

Jmpr^r That there shall bee a perpetuall peace betwixt the Poeple of Maryland, and the subiects of the s^d Kings.

2^{ly} That in Case any Englishman for the future shall happen to find any of the s^d Indian subiects, Killing eyther Cattle or hoggs, that then it shall bee Lawfull for the English to Kill the s^d Jndian.

3^{ly} It is agreed That if any Jndian or Jndians shall happen to kill any Englishman for the future (w^{ch} god forbid) That then the s^d Jndian wth all that Company of Jndians wth him w^{ch} consented to the s^d Murther shall bee deliuered up to the English, there to bee proceeded against according to the Law of this Prouince.

4^{ly} It is agreed betwixt the s^d parties th^t in case any English man shall happen to runne away amongst the s^d Jndians: That then the s^d Jndians bring them to the howse of Cap^t Thomas Howell & there for Euery Englishman that they shall deliuer they shall receaue One Match Coate.

5^{ly} It is agreed by the parties aboues^d th^t when occasion causeth any of the s^d Jndians to come to any Englishmans howse: That they doe Lay downe their Armes, & cause some white thing to bee held out first, before they approach the s^d howse.

6^{ly} & Lastly. That the s^d Jndian Kings & their Subiects shall inuiolably obserue these selfe same Articles towards the Dutch in Delaware Bay, as well as to the English of the Prouince of Maryland.

The marke of × Monickto.

The marke of × Chehooock

The marke of × Tichecoon.

p. 186 These are in the name of the R^t hon^{ble} the L^d Prop^r to will & requyre yo^w to goe to the howses of Jacob Clawson & Symon Carpenter, & there see deliuered to Ciuility & the rest of the Sasquesahanough Indians Two Barrells of powder, & Two hund^d weight of Lead, & afterwards yo^w are to goe to the

howse of Co^l Nathaniel Vtye along wth the s^d Indians, & there presse any One of the Three gunns. And lett it be deliuered to the s^d Indians. of w^{ch} gunns the s^d Indians are to haue their Choyce. All w^{ch} p^rticulars being for the publike use. & for see doing this shall bee yo^r war^t Gyuen under my hand att Goldsmiths hall 28th July 1663. To Cap^t Thomas Stockett.

Liber II. II.

Att a Councell held att Goldsmiths
Hall the 9th of August. 1663

| | | | | |
|------------------|---|--|---|-------------------------|
| Pnt ^r | { | Charles Caluert Esq ^r Gou ^r | } | Councello ^{rs} |
| | | Philip Caluert Esq ^r Chancello ^r | | |
| | | Henry Sewall Esq ^r Secret ^r | | |
| | | Mr John Bateman | | |
| | | Mr Edward Lloyd | | |

Ordered th^t Instructions bee gyuen Maio^r Samuel Goldsmith for the pursueing any forreigne Enemy th^t shall happen to inuade the Prouince, as also suppressing any insolencies or mutinies committed by any Indians abiding wthin the Prouince contrary to such Articles agreed wth them.

Instructions from the hon^{ble} Charles Caluert Esq Gou^r to Maio^r Samuel Goldsmith for the more speedy & effectuall suppression of all mutinies, insolencies & insurrections, murthers or plunders th^t may bee committed by any Indian or Indians whatsoeu^r p. 187

Yo^w are hereby impowred uppon the inuasion or ap-
proach of any Indians whatsoeu^r to any English Plantaⁿ wthin yo^r Command to Leauy what forces in yo^r discretion shall thinke conuenient for the resistance of any insolencies or murthers by them committed, or may bee intended to be committed uppon the p^rsons or Estates of any of the Inhabitants of this Prouince as afores^d

2^{ly} Yo^w are to impower such & such p^rsons as yo^w shall thinke fitt wthin yo^r seuerall precincts to prosecute such Instructions as shall bee from time to time by yo^w to them directed.

3^{ly} That yo^w doe call to yo^r assistance the County Commis^{rs} as time & opportunity shall requyre & permitt, to consult & aduise uppon what is expedient uppon an urgent occasion to bee done.

4^{ly} That yo^w forthwth send to the Sasquesahanough Indians to giue them notice th^t they immediately come downe to treat wth yo^w, & the rest of the Commis^{rs} of this County aboute the Articles of Peace lately confirmed by the Gou^r & Councell together wth their consent. & easpecially strictly to insist uppon th^t Article (Viz^t) That they shall not approach any English Plantaⁿ, but according to the tenor of that Article.

Liber H. H. 5^{ly} That yo^w giue timely notice by an expresse to the Leiu^t
 p. 183 Gräll of any troubles or insolencies that shall be committed by
 the Jndians for the future. & of what yo^w shall doe from time
 to time in pursuance of these Instructions.

August 15th Commisⁿ exiuit from Leiu^t Gräll to M^r John Elzey
 m^r Stephen Horsey, M^r William Thorne, & Cap^t
 John Odber. Commis^s for. th^t part of the Prouince newly
 Seated, Called the Easterne shoare. Bearing date the fifteenth
 day of August in the 32th yeare of his L^{ps} Dominion &c: Añoq
 Dñi 1663. Commisⁿ est eadem uerbatim. mutatis mutandis
 ut est fol. supra 163.

Septemb^r 10th 1663.

Lrēs of Denizacōn exier^t to Jacob alias John Lumbrozo in his
 Verbis.

Cæcilius &c: Whereas Jacob. alias John Lumbrozo. late of
 Lisbone in the Kingdome of Portugall hauing long time lyued
 wthin this Our Prouince of Maryland hath besought &c:
 Wittnes our Deare sonne & heyre Charles Caluert &c: as is
 in Ordinario (mutatis mutandis) fol 165, ut supra.

Sept 12th Commission to John Abington for trading with the
 Indians Idem Mutatis Mutandis ut est fol^o 161^o to John
 Nuttall

14th The said John Abington Entred into Bond &c.

p. 189

Instructions Gyuen by the R^t hon^{ble} Cæcilius Absolute
 Lord & Proprietary of Maryland & Aualon Lord Balte-
 more &c: To his L^{ps} sonne & heyre Charles Caluert
 Esq^r his L^{ps} Leiu^t of the s^d Prouince of Maryland.

1. His L^p doth hereby &c: Vid. Lib. 1633. for Land. fol. 80.
2. And his L^p doth allso hereby requyre his s^d Leiu^t that the
 s^d Jerome White bee made one of the Councell of the s^d
 Prouince of Maryland, & Conseruator & Justice of the Peace
 there, wth all Priuiledges & Jmmunities whatsoeu^r thereunto
 belonging. Prouided that hee first take the Oath of a Coun-
 cello^r Conseruato^r & Justice of Peace appoynted for that
 purpose. To bee administred unto him by the s^d Leiu^t or any
 Two of the Councell there, before hee sitt or Act as a Coun-
 sellor or Conseruator or Justice of Peace of the s^d Prouince who
 are hereby authorized to administer the s^d Oath to him accord-
 ingly. Gyuen under his L^{ps} hand & Lesser Seale att Armes
 this sixteenth day of Decemb^r in the yeare of Our Lord God.
 One Thows^d sixe hund^d sixty & Two.

C Baltimore

Pattents of Dennizacōn To Thomas Lamore and Peter Liber H. H.
Lamore of french descent
ut est folio 157 mutatis mutandis to Benois Brassieus

By the Leiuetenn^t Generall

Whereas Sundry Complaints haue been made unto mee by the Queene of Portaback in behalfe of her Selfe and Indians und^r her, Intimating how that they haue not only left their Towne standing by the water, but haue remoued themselues farther of euen to their utmost bownds of their land—Leauing p. 190 place to the English to Seate on their ancient plantacōns by the Riuer side the English not being (as they informe mee) contented with what Land is allready freely granted Doe still take up land and Seate themselues uery nigh unto the said Indians whose stocks of Cattle and hoggs doe and will yearely destroy their Corne feilds by which meanes they must of necessity come to ffamine they not knowing the way and meanes to fence in their Corne ffeilds as the English doe will soon come to destruccōn

I doe therefore hereby will and require all p^sons whatsoever Inhabitants of this prouince to take notice hereof and desist from taking up any land or seating any land (though formerly taken up) and surueyed by them) within three miles att the least of any the said Indian habitacōns or plantacōns, Giuen und^r my hand this 17th day of Nouember 1663

January 3^o 1663⁴ Pattent of Dennizacōn then Granted to In^o Sicks p. 191
late of England Subject of the Royall Empire of
Jermamy &c

Pattent est eadem uerbatim mutatis mutandis. Vt est folio
Supra 160, pro Isaack Bedlo

January 6th Commission to Christopher & Abraham Birke- p. 190
headd for trade wth the Indians

Idem Mutatis Mutandis ut est folio 161 To John Nuttall

The said Christopher & Abraham Birkehead Entred into
recognizance to the Rig^t Hon^{ble} the Lord Proprietary &c. of
1000^{li} sterlinge

These are to impower yo^w in time of Court to sweare into p. 212
yo^r Comm^{on} the p^sons whose names are here und^r written
(uizt) Cap^t William Burges Richard Ewen Geo: Puddington
Thomas Taylor Ralph Williams Cap^t Jn^o Norwood And for
soe doing this shall be yo^r warr^t Giuen und^r my hand this 28th
of January 1663⁴

To his Lordsp^s Comm^{rs}
for the County of
Anne Arrundell

Charles Caluert

Liber H. H.
p. 190 January last Commission To George Richardson for Trade wth
the Indians Idem mutatis Mutandis ut est folio 161
The said George Richardson entred into Bond to the Lord
proprietary of 1000^l Sterling thereupon

February p^{ma} Ditto to Francis Armstrong ut est ditto folio
Recognizance likewise giuen of 1000^l Sterling both
to be in force one year after after the date thereof.

p. 191 Febb: 9th Commission to James Jolly for trade wth the Indians
Idem mutatis mutandis ut est folio 161 to Jⁿ Nutthall
to be in force for one year after the date thereof

9 Ditto to Jenkin Price for one whole year

p. 190 — — 10th Commisⁿ exiuit from Leiuetenn^t Generall to John
Elzey Stephen Horsey William Thorne & John Odber
Comm^{rs} for that part of the prouince newly seated called the
Easterne Shore bearing date the tenth day of February in the
32 yeare of his Lordsp^s Dominion &c. annoq Domini 1663

Commisⁿ est eadem uerbatim mutatis mutandis ut est folio
supra 163.

p. 188 1664 Aprill first Commission to John Nutthall for trading wth the
Indians Idem mutatis mutandis ut est folio 161
To ditto Nutthall, to be in force till the 25th March next Bond
by him giuen

p. 191 Commissions to the Commissions Excer^t by Ord^r from the Leiue-
sherriffes tent^t Gen^{all} prout in Ordinario fol: 149 this p^{ma}
April 1664

March 4th 1663^¼ Then was Granted to John Pouston Pattent of
Dennizacōn, subject of the Kingdom of Scotland
Pattent est eadem uerbatim mutatis mutandis Vt est
folio supra 160, pro Isaack Bedlo

p. 196 1663 March 22th The County Court of s^t Marys County humbly
request his Lordshp: to add these p^rsons to the
Commission

The which was done and sent up in Com^{our}
to sweare these p^rsons following into
there Commission

| | | | |
|--|---|--|---|
| M ^r Nicholas Young | } | M ^r W ^m Rosewell | } |
| Leiu ^t Coll: In ^o Iarboe | | M ^r W ^m Barton | |
| M ^r Randall Hanson | | Cap ^t W ^m Boareman | |

The County Court of Talbott County desires the Leiu^ten^t Lib^{er} H. H.
Generall to add to theire Comm^{on} the persons here mencōned

The which was perfected and sent up in Com^{on} to sweare
the said persons into theire Comm^{on} by names

Symond Carpenter } William Hamilton
Thomas Curtis } M^r Stephenson

Charles Calvert Esq Cap^{tn} Gen^l of all the fforces within p. 197
this province of Maryland vnd^r the R^t honno^{ble} Cæcilius Abso-
lute Lord & prop^{ty} of the same, To Lieuten^t W^m Coleburne
Greeting According to the power to mee by his s^d Lo^p
Comitted, & vpon the Speciall Trust & Confidence I have
in your ffidellity Circum^speccōn Courage & good Conduct, I
doe hereby Constitute Ordaine & appointe you Lieu^t vnd^r
Cap^t W^m Thorne of the ffoot Company at pn^t & to be raised
by him betweene Choptanck River & a line drawne East into
the mayne Ocean from Watkins point being the North point of
th^t Bay into which the River Wighco form^{ly} called Wighco-
comoco afterwards Pocomoke & now Wighcocomoco againe
doth fall, Exclusively, them to Muster Exercise & traine vp in
the Art of Warr & discipline Millitary, & in all things to doe
as any Lieu^t of a Company of ffoot may or of Right ought to
doe to the resistance of all Enemies, Suppression of all mutanies
insolency's, & Rebellions whatsoever according to such Ord^{rs}
& direccōns as you shall from time to time receiue from me or
yo^r s^d Cap^t To have & to hold the said Office & Comānd till
the lord prop^{ty} or his heires or his or their Lieu^t Cheife Gov-
erno^r, or Cap^t Gen^l for the time being shall signifye his or
their pleasure to the Contrary And all psons w^{soeu}r are here-
by required & Strictly comānd^d to yeeld all due obedience to
yo^w the s^d Lieu^t (W^m) Coleburne in all things appteining to
the comānd & Office hereby Conferred on yo^w as they will
answer the Contrary at their pills. Given vnd^r my hand &
Seale this 26th day of March in the 32th yeare of his lo^{ps} Do-
minion ov^r this Province Annoq Domini one Thowsand Six
hund^d Sixty ffowre

Moses Stagwell To Coll Moses Stagwell Sherriffe of Kent
County

Capt Wm Burges To Cap^t W^m Burges Sherriffe of Ann Arun-
dell County

Thomas Dent To Thomas Dent Sherriffe of S^t Marys County
7 Ap^r 1664

Thomas Sprigg To Thomas Sprigg Sherriffe of Caluert County

Liber H. H.

Geo: Gouldsmyth To George Gouldsmyth Sherriffe of Baltimore County

Zacha. Wade To Zachariah Wade Sherriffe of Charles County

Anto Griffin To Anthony Griffin Sherriffe of Talbott County

p. 192 April 6^o 1664. Commisⁿ Exierunt to Leiu^t Richard Ewen mutatis as in Commisⁿ to Leiu^t Co^{ll} John Jarbo fol. 24 under Cap^t Will^m Burgesse of Anarundell County.

Jdē to Ensigne John Ewen the same Commisⁿ mutatis mutandis.

p. 193 Att a Councell held att S^t Johns
7th day of April 1664.

Pntr Charles Caluert Esqr Gou^r
Henry Sewall Esqr Secr^r
Baker Brooke Esqr Councel^r

This day Co^{ll} Will^m Euans being called. Tooke the Oath of Councello^r of State. Prout in Ordin^r

Who thereuppon tooke his Seate & place.

It was moued in Councell touching the Country howse. Whither if James Jolley refuse to p^rforme his Bargaine in repaying the s^d howse, according to his former promise made to the Gou^r & Councell: It bee not thought conuenient to Lett the s^d howse for certaine time of yeares to Will^m Smith for his better Encowragem^t hee putting in security to repayre the same in conuenient time to bee Limited by the Leiu^t Gräll.

Judged most fitt, requisite, & conuenient.

And then Ordered th^t the s^d Will^m Smith find a Conuenient place or Chamber for the Clerks of the Court to Lodge in, in the s^d howse. And th^t 'till the howse, to putt the Records in, be quite finished, some Conuenient Roome or place bee likewise allowed & provided for the Records to bee secured in, & the Clerks to write in.

Lastly th^t the whole Busines touching the same bee wholly left to the Leiu^t Grälls discretion, eyther as to Repaying the howse, or otherwise, as to him shall seeme Conuenient, in agreeing wth the s^d smith. Jf hee see cause therefore

p. 194 May 5th 1664. Commission to Thomas Dent Sherriffe of s^t Marys County to Cause a list of the tythables to bee taken

These are to will & require yo^w that by the 20th day of July next yo^w Cause a list to bee taken of all the tythables wthin yo^r County and that in the s^d list the name and surname of each

tythable person and the howse of his aboade bee distinctly sett downe and a Coppy thereof faire written and sent immediately downe to the Gouverno^r & Councell and another Coppy of the said list sett up in the Court howse att yo^r next County Court to remaine there for the whole yeare, to the end that if any errours bee therein they may bee Corected and the same Certyfied to the Gouverno^r & Councell before the first day of Septemb^r next, herein fayle not as yo^w will answer the Contrary, And for soe doing this shall bee yo^r Warrant Giuen und^r my hand this 5th day of May 1664

To Thomas Dent high
Sherriffe of S^t Marys
County

Signed Charles Caluert

Zacha: Wade Jdem mutatis mutandis to Zachariah Wade high
Sherriffe of Charles County

Tho: Sprigg Jdem mutatis mutandis to Thomas Sprigg high
Sherriffe of Caluert County

Capt Wm Burges Jdem mutatis mutandis to Cap^t W^m Burges
high Sherriffe of Ann Arundell County

George Gouldsmyth Jdem Mutatis Mutandis to George Gould-
smyth high Sherriffe of Baltemore County

Moses Stagwell Jdem mutatis mutandis to Moses Stagwell high
Sherriffe of Kent County

Anto Griffin Jdem mutatis mutandis to Anthony Griffen high
Sherriffe of Talbott County

Charles Calvert Esq^r one of the Privy Councell of this province of Maryland & Justice of the Peace vnd^r the R^t honno^{rb}le Cæcilius Lord Baltemore Lord & propyetary thereof sendeth Greeting in our lord God Everlasting Know yee th^t I the s^d Charles Calvert vpon good & Credible report to mee made by divers Inhab^{ints} of this province That Iames Iolly of S^t Mary's County in the pvince of Maryland afores^d is a man meet to keepe an Inne or Ordinary in the howse where hee now dwelleth at S^t Mary's vpon the plantacōn Called Kitt Martins point for the Convenience & enterteynm^t of sundry the inhabitants coming & resorting vpon their Occasions to the place afores^d Have licenced, allowed & admitted & doe by these presents Licence allow & admitt the said James Jolly to keepe an Inne or Ordinary for three whole yeares next ensuing the date

Liber H. H. hereof, soe th^t the s^d James Jolly suffer not any evill Rùle or Ord^r to bee kept in his s^d howse during the tyme of this his s^d Lycence For the vsing of which Lycence accordingly I the s^d Charles Calvert doe you to witt That I have bound the s^d James Jolly in one Thousand pounds of Tobacco by Recognizance to the Lord propyetary of this pvince In witnes whereof I have hereunto sett my hand & Seale this Seaventh day of May Annoq Domini one Thousand six hundrd sixty fflowre

p. 200 This Day came James Jolly of S^t Marys County & acknowledged himselfe indebted unto the lord propyetary of this province in the sume of one Thousand pounds of Tobaccoe & Caske in case the s^d James Jolly (for the space of thee whole yeares next ensueing the date hereof) shall suffer or pmitt any evill Rule or Ord^r to be kept in his said howse esspecially vpon any the Lords days (called Sundays) by Gameing or Exorbitant drinking during the time of Divine Service or shall suffer any Servants or Apprentices to remaine Tipling or drinking in his howse without their Masters privity, or shall sell or give such apprentices drinke Occasioning their disord^r thereby or shall sell drinke by retayle or otherwise to any pson causing the disturbance of his lo^{ps} peace, Thus done at S^t Mary's this seaventh day of May Anno 1664
Recognit Cora me.

[Charges against Quakers.]

p. 195 Michaell Higgins Sworne & Examined this 17th day of May 1664 Sayth

That Iohn Arnold Came to this Depon^t about a weake agoe and told him that hee had a greate Burthen lay on his Conscience and troubled his Soule, if caryed Secretly which hee knew of, whereuppon this depon^t was uery inquisitiue wth him to know what the matter was, But hee would not tell him at p^sent alleging that hee feared the Quakers might p^haps doe him some mischeife, And within 2 dayes after hee was contented to reueale the Cause and did reueale the same to this Depon^t wth Prouiso, that hee should onely acquaint M^r Standley therewth and then if M^r Standley pleased hee might open the same to his Lōpp. the Gouverno^r which was this—Thomas Thurstone, John Holmewood, Thomas Turner Thomas Meeres and Mourice Baker, as also William ffullers wife John Holmwoods wife and Sarah Marsh were together att John Holmwoods howse, and Thomas Thurston spoke first and sayd, that it was a thowsand pittyes that Will^m fuller should bee kept out of his Estate and from his wife and famyly, and Will^m ffullers wife then made answer, that for her

part shee was sure, that her husband would Come and spend his blood to come home, and enioy his wife & family againe then John Holmewood said that hee could also freely spend his blood for this mans sake now, as hee could doe when hee was one of the world, And all the rest then, there p^rsent concluded on it and said the same, and further this depon^t sayth not. Liber H. H.

Jurat. Cora. me
Charles Caluert

Michaell Higgen

John Arnold sworne and examined this 17th day of May p. 196
1664 Sayth

That in ffebruary last past this depon^t being att John Holmewoods howse, there mett Thomas Thurston Thomas Meeres, Thomas Turner, Mourice Baker, John Holmewood Sarah ffuller Sarah Holmewood and Sarah Marsh, and in theire discourse Sarah ffuller said that her husband Could ffreely spend his blood now, to enioy her Company and the Company of her freindes about her, Thomas Thurstone allsoe saying that it was a thowsand pittyes hee should bee soe kept out and John Holmewood said that hee could now as freely fight to haue him (to witt) ffuller in amongst them, as hee could then, when hee was one of the world, and all the rest then and there p^rsent Concluded wth the said Jn^o Holmewood and said the like and further sayth not

Sworne before mee
Charles Caluert

John Arnold

[Immigration from Virginia.]

Charles Calvert Esq^r lieu^t & cheife govern^r of the pvinces of Maryland vnd^r the r^t hon^{ble} Caecilius lord & ppry^{ry} of the same To all psons to whom these pn^ts shall come greeting in o^r lord God Eu^rlasting Know ye th^t takeing into consid^racon the petⁿ of divers psons well affected to this pvince now or late inhabitants of Northton County otherwise called Accomack in Virg^a who are desireous to transp^{it} th^mselves & families into this puince & for the more speedy & effectuall psecucōn of his lo^{ps} Comānd to mee to see th^t pte of this pvince next adioyning to the County afores^d peop^{ld} & for the ease & benefitt of all such psons who shall Transp^{it} th^mselves into this pvince from Accomack afores^d I have nominated Constituted & impowred & do by these pn^ts Nominate Constitute & impow^r Step. Horsey, Cap^t W^m Thorne & W^m Bosman gen^{em} or any two of th^m being within this pvince to gr^t Warr^{ts} for land during the term of 6 months next ensueing the date hereof vpon the Eastern shore of this province in any pte between Choctanck river & a p. 193

Liber H. H. line drawn east into the maine Ocean from Watkins point being the north point of th^t Bay into w^{ch} the River Wighco (formly called Wighcocomoco, afterwards Pocomoke & now Wighcocomoco againe) doth fall exclusiuey That is to say fifty acres for eu^y pson transp^{ld} upon such Condiçōs & terms as are expressed in his lo^{ps} Condiçōs of plantacōn now remaining vpon Record regulated according to his lo^{ts} Declaraçōn of the 22th 7br 1658 now vpon record, alsoe pvided th^t eu^y pson claiming any land by Vertue of the condiçōs afores^d for & in respect of the Transportacō of any pson or psons into this pvince doe before the s^d Step. Horsey Cap^t W^m Thorne & W^m Bosman or any two of th^m & being within this pvince take the Oath of Fidelity by the s^d Condiçōs of plantacōn required w^{ch} s^d oath the s^d Step. Horsey Cap^t W^m Thorn & W^m Bosman or any two of th^m are hereby impow^rd to admi^r to all or any the psons desireous to transp^{lt} th^mselves as afores^d before they shall have any Warr^{ts} gr^d vnto th^m respectively & alsoe pvided th^t all such psons as shall haue any Warr^{ts} gr^d be acco^table to the Sec^retary for the time being for all such fees as for the s^d Warr^s & entries shall becom due & the s^d Step. Horsey Cap^t W^m Thorne & W^m Bosman are hereby impow^red to keep a book of all such R^{ts} and Warr^{ts} as shalbe by th^m or any of th^m grant^d distinctly reciting the name & Surname of eu^y pson for & in respect of whos transportacōn they have allowed any land & the same at the end of the 6 months afores^d to return into the Sec^rtar^{ys} office signed with their hands & forasmuch in a place now peopl^d some differences may betweene pty & pty arise or Crimes be perpetrated & Comitted for the p^rseruacion of the peace & better govern^t of the people there resideing Wee doe hereby impow^r the s^d Step. Horsey Cap^t W^m Thorne & W^m Bosman or any too of th^m to heare & determine all causes not exceeding 2000^l of Tob. as alsoe to cause to be app^rhend^d & punished any Criminall offending ag^t any the laws of this province provided they proceed not to take life or memb^r Given att S^t Mary's vnder the lesser Seale of this province this 26th Day of May in the Two & thirtieth yeare of his lo^{ts} Dominion ouer the said Province Annoq Domini one thousand six hundred sixty ffowre.

[Boundary Question.]

p. 207 Charles Calvert Esq^r Lieu^t & Cheife Governo^r of the province of Maryland vnd^r the R^t honorable Cæcilius Lord & proprietary of the same To all psons to whome these presents shall come Greeting Whereas divers psons Ill willers to the good Correspondence of long time held betweene the Govern^t of Virg^t & th^t of this province, have of late Endeavored to raise differ-

ences betweene the said Govern^{ts} touching the Antient & knowne bound betweene them on the Easterne Shore & whereas the honorable Sr W^m Berkeley Governo^r of Virg^a did appoint Coll Edmund Scarburgh, M^r John Cattlett, and M^r Richard Lawrence or any two of them whereof the said Scarburgh, to be one to give a meeting to the deputyes or Substitutes of this governm^t by the Governo^r thereof to be appointed (in case any dispute should arise where Watkins point was, th^t being the bound of this province,) to determine what should be reasonably proposed by the s^d Deputyes, In pursuance whereof the said Coll Scarburgh without the said Cattlett or Lawrence or Conuenient Notice Giuen to mee did about the tenth of Octob^r last in an hostile maner enter many miles into this province to the Terror of the people at Monoakin & Anamessecks, beating, abusing & imprisoning the people there by him long before seated by vertue of a Comission from this governm^t directed and Contrary to his Certaine knowledge of the bounds of the said province. And whereupon Remonstrance of this vndue proceeding to the hono^{ble} Sr W^m Berkeley by myselfe in pson he did not only disclaime any Ord^r from him to the said Scarburgh alone or before Notice given & debate had touching the point in difference to proceed by force as he did but was pleased further by his Ord^r of 28th of March last to ord^r the s^d Scarburgh with one or both the Surveyors Cattlett or Lawrence afores^d Cap^t Josheph Bridger Cap^t Robert Elkison, & M^r Bulmer Mitford to give a meeting to such Com^{rs} as should by mee be appointed at Monoakin 10th of May last & in case of my refusall of th^t soe Just a proposall to proceed According as in th^t Comission they were Ordred Now know yee th^t forasmuch as neither the s^d John Cattlett nor Richard Lawrence appeared att Monoakin at the time appointed without one of which nothing could be legally by the rest done th^t did appeare & to shew how wee are not to be Ticed out of our desires of faire Correspondence with the hono^{ble} Governo^r & Councell of Virgia J have Constituted Ordained appointed & impowred Phillip Calvert Esq^r Deputy Lieut^t & Chancello^r of this puince as J doe by these presents Constitute Ordaine & appoint & impower the s^d Phillip Calvert to repaire to the hono^{rable} Sr W^m Berkeley Governo^r of Virg^a & the Councell there and after deliury of a duplicate of these presents & to Treat of & determine the s^d Difference Concerning Watkins point & alsoe to demand Justice against the s^d Edmund Scarburgh for entring into this province in an hostile maner in Octob^r last, by blowes & imprisonm^t outraging the Jnhabitants of Monakin & Anamessecks without Comission as alsoe for Attempting to marke a tree vpon a Point of land above thirty miles to the Northword of Watkins point in May last without Comission or Ord^r & for

Liber H. H. publishing a proclamacōn at Monoakin in Munday 16th of May Contrary to the Ord^r dated 28th of March aforesaid J having appointed Com^{rs} the s^d Phillip Calvert Jerome White Esq^r Surveyo^r gen^lall to meete at Monoakin aforesd who did accordingly come at the time & place appointed which vnlesse J had refused to doe they the s^d Com^{rs} had noe Ord^r to publish any Comand or pclamacōn whatsoever had they been present
 p. 209 (according to the Tenor of the s^d Ord^r) as they were not, And further to Represent vnto the hono^{ble} S^r William Berkeley the vndue proceedings of the Assembly of Virg^a whose vnd^rtake, to take cognizance of things Relating to this province & the people thereof whereas his Ma^{tie} of happy Memory by o^r Charter hath by expresse words exempted both the province & people thereof from the Govern^t of Virg^a & made both it & them depend^t only of the Crowne of England & to desire of him the s^d S^r W^m Berkeley to take care for the future th^t the assembly meddling with things relating to us & beyond their power be noe cause of future difference betweene us which wee in our Assembly's on o^r parts shall Industiously avoid Wherefore J desire th^t the s^d Phillip Calvert may be Credited & beleueed promising to Ratifye Confirme & approve whatsoever shall be done by him according to this my Comission as if it were done by myselfe Given at S^t Mary's vnd^r my hand & the lesser Seale of this prouince of Maryland this 3^d Day of June 1664.

[Examination of Indian prisoner.]

p. 200

From Ctey ffall this 7 of Iune 1664

May it please yo^r lo^p

Since our first a Court hath been held for this County at the howse of M^r ffrancis Wright, where the Indian being againe had, & in some measure examined, nothing appearing to any purpose, but what wee have in o^r ffirst given yo^r honno^r to vnd^rstand; yesterday when the prisoner was here, there was severall Sasq^ehanaghs to the number of forty & two of Ciuillitye's vnckle's whose made shew of much Joy at his being taken, for they very well knew him & were Sensible of his warlike Exploites & would perswaded us to haue burnt him but wee Certifyed th^m that it was not o^r Manne^r to torture our prison^{rs} but th^t happylye he might be sent home to his Country both for their good & o^rs, but wee cannot find th^t what this prisoner did alleadge in his owne behalfe (as to matter of Beaver & peake which hee hath s^d they brought with them to purchase peace) to be true, Whether had they any good Intensōns wee have done our vtmost Endeavo^r according to our abillities for the obteyning a full discouery, & pfect Relacōns that yo^r honno^r
 p. 201 might have more full Intelligence of what did & was very like

to happen what we have & doe vnderstand herin is incerted & Liber H. II.
doe Conceiue th^t your Lo^p should haue thoughts for this prisoner
with a present to his owne Country in hopes of purchaseing
thereby, a peace w^{ch} by every one wee thinke is much required
& most earnestly desired Iacob Clawson hath voluntarily & of
his owne free will, declared to us his Redines to goe vpon your
Comand, & shall to the Vtmost of his Abillity for the Countrys
sake) act & Assist any one th^t yo^r lo^p shall thinke fitt to Jmploy
in a matter of soe great Consequence & further th^t he is verily
pswaded th^t if such a thing were to be acted Ciuility in the be-
halfe of all the Sasq^esahanaes would alsoe goe & th^t thereby a
peace might be procured the Sasq^esahanahs wee know would
willingly Imbrace a peace if Obteyned but are vnwilling (through
height of Spirit) to sue for itt Wee have Credible Informacōn
by a Gentl from the Manhattoes now here present who is thither
wth all eppedicōn returning, th^t many of the Cenacoes will
(through a Customary Trade) from the last of June vntill the
Middle of July be at the fort at Arania to whome wee desired
he would giue this Relacōn, th^t he saw one of their Countrymen
(nameing his name th^t the English had taken, attempting to
doe Mischeife & th^t he was well & fairly by the English dealt
with all not after the manner & Cruelty, th^t they shewed to
some of us w^{ch} they did form^{ly} take, & th^t there was great
hopes th^t he would in some tyme come amongst th^m agayne,
for by his kind vsage hitherto he Conceiued noe lesse Jff what
wee have done appeares to your Lordshipp too much or too
litle Wee haue nothing to plead but o^r ignorance humbly p. 202
Craveing pardon your lordships in all due Obedience

Tho. Stockett

Sam. Gouldsmith

Fra: Wright

To the R^t Hono^{ble} Charles Calvert Lieu^t gen^lall of this
province of Maryland.

S^t Mary's

The declaracōn of the Senecke th^t was taken at Patapscoo

Hee says th^t they Came into the howse of M^r Ball not with
any intent to kill any of the Christians, but had brought a
present, for the Christians of forty Beavers & bealts of peake
for the Sasq^ehaños: th^t they desired peace & freindshipp that
the boy th^t were taken & the men th^t were killed att the Mill
th^t it was the Cyocko Jndeans th^t did both kill & take th^m he
named the Indeans th^t did bring the troopes on the Cuyticke
he says th^t if he had been taken by the Sasq^ehaños, th^t he should
not haue beene put to death by th^m th^t all the Joynts of his
body is Belts of peake th^t he hath laid out for desire peace &

Liber H. H. quiettnes It was asked him how many Troope of the Senescōs was come out he s^d th^t there was Troops of th^m & th^t the pty th^t he did belong to was 200 in Strenght then being asked why th^t they came soe Strong & soe many Troops out if they come for Peace at th^t he answered nothing, but th^t their fort did not desire any Warr with the Christians, th^t the troops was come out for Reuenge of the death of his Sonn & 2 Indians more th^t was taken & burnt by Sasq^ehanōs when they came to M^r Balls plantacōn, they had gott the signe & the word, & lelt their Guñs behind th^m in the feild they were 21 th^t Come Jn -

p. 203 May it please yo^r lo^p From Fort Conquest this 6th June 1664

Wee have here with, through dutye caused this Indian to be brought before yo^r hon^r, what he is we know not, nor can giue noe other Charact^r of him, then what he himselfe hath Related but by his examinacōn & Circumstances, yo^r hon^r will not conceiue th^t either he in Cheife or his Complices, did bear any good will to the Jnhabitants of this yo^r province, this Indian was taken vpon Thursday last of this Instant vpon the plantacōn of M^r Balls in patapsco River there being 21 in Company which did come in vnd^r pretence & Colour of a freindly Trade giveing the word & signe which after a While being in the howse the English did suspect a possibillity of Trechery & deceit in the said Indians & (without any shew) did in Some measure provide for their defence, which perceived by the Indians they forthwith fled & this (through his Vallo^r) being the last was taken & brought vpp to Majo^r Goldsmiths, who without delay Carried him to M^r ffrancis Wright to heare him examined his Examinacōn is herein in Closed, which wee thinke may make this province Conclude th^t it is the Senacōes, with the Rest th^t doe annoy the frontier Jnhabitants of this yo^r province, he is the first th^t as yett hath been taken by the English & th^t through Gods providence without the losse of Christian blood, but the Seasonablenes of the yeare wth what dayly to us appears giues us most Just Cause to Conclude th^t mischeife is at o^r Doores which if God defend us not & yo^r hon^r forgett us the losse will be o^{rs} & yo^r lo^{ps} Wee did thinke one th^t wee should haue had the happines to have seene yo^r honno^r this Summer in these parts but if not wee are bound to wait vpon your lordship Att St Mary's vpon the Second Tuesday in Septemb^r which according to o^r Domesticke & necessary

p. 204 Occasions will be a litle to soone, yo^r honn^{rs}

In all Obedience
Sam: Gouldsmith
Tho: Stockett
Thomas Howell
Godfry Bayly

To the R^t honno^{rb}le Charles, Calvert Lieu^t of this province Liber H. H.
of Mary^{ld} dd.

S^t Mary's

[Torture of two Oneida prisoners by the Pascatoways.]

Sir

Vpon Munday last the Indeans of Pascattaway sent to my Brother & mee, word th^t they had taken two prison^{rs} of the John-adoes vpon the North side of patomake river desiring th^t some of the English would come & heare their Confession & see their pceedings ag^t them which should be the next day by noone if wee would come or else send th^m word or wee th^t I would not come where vpon I requested my brother Ignatius & Henry More to goe along with mee & wee went thither according to the tyme they appointed & after I came they presently began to Torter the man & gave mee this Relacōn from him by an Interpreter who vnd^rstood him th^t there was sixty of them vpon the North side of patomacke River for to Warr & kill the English & the Jndeans & doe what mischeife they could & he confessed they had Cutt of one house & th^t the English had killed th^m six men but what had been don since hee came from them he could not tell & he s^d there was a hundred more which were gone to the head of the bay to kill English there & sasq^ehanōes to if they can light of them & th^t this Su^mer they did intend to come into our Necke to kill English if they could but passe the Jndeans & not be discouered this I thought good to acquaint yo^r lo^p wth th^t you may vse what meanes yo^u can to giue th^m notice at Baltemore County th^t they may looke

from Potobacco this
9th of June 1664.

to themselues, as for the Relacōn & maner of
their tortering th^m I omitt till I shall see yo^r
hono^r,

from yo^r humble seru^t
Tho: Mathews

My broth^r Adams p^rth
his seruice unto yo^r honno^r

For the R^t hon^{rb}le the Lieut gen^lall.
These from the Indian Interpreter M^r
Thomas Mathewes for the safty of this puince from howse to
howse post hast

1664

June 27th

Then a Com^{con} issued to Lewis Stockett to bee Coll: p. 205
and Comander in Cheife of all the fforces to bee rayسد
betweene the Coues of Riuer to the head of the Bay on both
sides as allsoe uppon the Isle of Kent, and to enlist for his
owne Company such and soe many of the Inhabitants in any
part of the said diuisione as hee shall thinke ffit, mutatis mu-
tandis ut est in folio 27d Com^{con} for Collonell Nathaniell Vtyes

Liber H. H.

Att a Councell held the 27th June 1664
 Present Charles Caluert Esq^r Gou^rno^r Phillip
 Caluert Esq^r Chancello^r Jerome white &
 Baker Brooke Esq^r Councello^{rs}

[War with Senecas.]

Then was taken into Consideracōn the p^rseruacōn of the prouince ag^t the incursion of the Cinego Indians who lately killed some English in Ann Arundell County & alsoe entred the County of S^t Marys Ordred th^t Warr be pelaimed ag^t the Cinego Indians th^t a Reward of a hundred Armes lenght of Roan Oake be giuen to eu^y p^{son} whether Indian or English th^t shall bring in a Cinego prison^r or both his Eares if he be slayne That all the Kings of the freind Indians be sent to, to, arme out their people in pursuit of the Cinego Indians & th^t the respespectiue Millitary Officers within the seu^rall diuisions of this puince doe arme out such & soe many of their seu^rall Companys as they shall thinke fitt to goe in Company wth the freind Indians to pursue the Enemy, & that they presse such horses armes & ammuicōn as from tyme to tyme they shall find Necessary & th^t they keepe a p^ticuler Acco^t of the s^d armes & Amncōn soe by them pressed to be sent downe in Convenient tyme to y^r Gou^rno^r & Councell.

p. 206 That every Officer millitary doe from time to time send all intelligence to the Majo^r Lieu^t Coll or Coll of the Respective Regim^{ts} & th^t the s^d Majo^r Lieu^t Coll or Coll doe from tyme to tyme send Jntelligence to the Gouerno^r & Cou^{nc}cell & th^t they keepe a Correspondence one with another And whereas there is a Cinego Indian taken prisoner in Patapsco Riuer who alledges he came to seeke a peace & brought a present intended to us & the Sasq^hanough Indians Ordred th^t the said Indian be sent for downe to S^t Marys & kep^t in Jrons & th^t a Lre be written to gen^rall Stuy^{ves}zent to request him to giue notice to the Cinegoes trading at fort range th^t wee haue such a p^{son} prison^r whom wee shall keepe alieue till wee see whether they desire a peace really or not because noe present come & th^t if they desire not a peace as hee alleadges th^t wee shall put him to death & th^t Jacob Clauson doe giue notice to the Sasq^hanough Indians of this our Jntencōn & to require them to declare whether they are willing to Joyne with us in this Messuage till which answer Come this Lre shall be deferred.

Proclamacon
 by
 the Lueut Gen^rall

Whereas seu^rall murders & outrages haue beene lately comitted vpon seu^rall English of this puince by the Cinego Or

Jonado Indians & that they doe dayly make inroades into this prouince Wee doe hereby publish & declare the s^d Cinegoes & Jonadoes to be Enemyes & as such to be reputed & pceed agt by all psons hereby declaring it to be lawfull for any pson Inhabiting in this prouince to kill slay or take prisoner any of the aforesad Cinego or Jonado Indians that shall enter this prouince Giuen und^r my hand at S^t Mary's 27 June 1664
Signed Charles Caluert

Liber H. H.

p. 207

Sept 5th 1664 Com^{on} issued for the Peace in s^t Marys County to Robert sly Thomas Dent John Nuthall Cap^t Luke Gardner John Lawson William Bretton Jno^o Vanhack Nicholas Young Leiuenn^t Coll: John Iarboe Cap^t W^m Boardman Randall Handson Will^m Rosewell & W^m Barton Gentⁿ whereof the 5 first aboue nominated is of the Coram, ut est mutatis mutandis in folio 105 only this alteracōn to keepe theire Courts on such dayes as by the Act of Assembly in such Cases is Prouided

p. 212

Persons added to the Comm^{on} of Baltemore County
Geo: Gouldsmyth Nath. Styles & Godfrey Bayley
dated the 3^d of Octob^r 1664

1664 Octob^r 3^d Commission then issued impowring George Gouldsmyth Cap^t of the ffoot in Baltemore County in forme as usually

p. 212

Persons added to the Comm^{on} of Caluert County (uizt)

John Abington } Will^m Dorrington
Reym^d Staplefort } Will^m Groome

for Coram in the old Comm^{on}

Hugh Standley
Charles Brooke
John Abington

Dated 4th Nouemb^r 1664

S^r Hen: Chicheleys &^a Proposals touching Virginia
Read in Councill 16th Nov: 1664.

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To the Right Hono^{ble} the Lords of His Ma^{ties} most Hono^{ble} Privy Councill.

A Representation of the Necessitie of Lessening the Quantity of Tobacco and Proposals most humbly offered for the effecting it.

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In all dutiful Obedience to yo^r Lo^{pps} Order of the fifth of October last Wee whose names are under written have attended the Right Hon^{ble} the Lord Baltimore and treated with his Lo^{pp} to see whether wee could joynly fix upon any fitt Proposition to p^rsent yo^r Lo^{pp} for the Lessening the Quantity and soe consequently to improve that Comoditie to the Advantage of both Collonies But not being so happy as to have his Lo^{pps} Approbation to anie thing wee could propound, nor conceiving what his Lo^{pp} offerd us would at all Conduce to the desired end, Wee thought it our Duty to persue the Last part of yo^r Lo^{pps} Order by presenting our Proposals apart, which wee have most humbly done Leaving them to yo^r Lo^{pps} more grave Consideracōns to determine or Reject.

First, Wee most humbly represent That the vast Quantities of Tobaccos Yearly made in Virginia and Maryland hath soe glutted all Markets both att home and abroad that it does now very little more than pay his Ma^{ties} Customs, And should it further increase as in all probability it must (the Makers yearly doing soe) that then shortly it will not pay the accustomed Duties of Transportation so farr will it be from giving Maintenance to Thousands of his Ma^{ties} Subjects that both here and there wholly depend upon it.

If yo^r Lo^{pp} but please to make a Valluation of the English Manufacturies that those places pent you will find it not less than two hundred thousand pounds per Annu^m. If you take the Computacōns of the People they are forty thousand at the Least the Number of the Hogsheads they yearly make fifty thousand, the Produce at the most three pounds per hogshead, Soe that by this Scale yo^r Lo^{pp} will plainly perceive the pittifull and Inconsiderable Incombe the Planter hath for his Labour, when ffive pounds a head is the most for all Necessaries, Clothings, Howsing, Working Toolles and Supply of Servants And att the yeares end when wee shall sitt down and Cast up our Accompt, wee shall sadly find our annual Ballance ffifty thousand pounds wanting to bee worth Nothing.

This my Lords Wee hope will plead to yo^r Lo^{pps} the Necessitie of a Regulation in this Comoditie, Since the Exorbitancy of Planting hath swelld the Quantitie so much above the Consumption that it hath already brought it to soe Low and Contemptable a Rate, that the Planter is noe way able to live by his Labour Struggling daily with such inextricable Necessities as will in tyme (as justly may be feared) make him desperate and prove a sadd Consequence of indangering the Peace (if not the ruine of his Ma^{ties} Country).

It may perhaps bee objected to yo^r Lo^{pps} That the Comoditie hath formerly beene as very a Drugg as now, The price as Low, and yet the People subsisted peaceably and quietly.

My Lords this is most true yett if yo^r Lo^{pps} but please to looke back into the reason of it, you will then find That those times had the Advantages that the present or future cannot hope for; All the rest of his Ma^{ties} Plantations then made Tobacco as well as Virginia and Maryland which made the Quantitie (as now) Exceed the Consumption, and that brought it to the same Ebbe, other places finding Ruine, Knocking at their Doores tymely and most prudently left it off, and by the Advantage of the Creditt the London Merchants gave them vent upon more profitable and usefull Comodities, and Left that Unhappie Weede to Virginia and Maryland, that became the only Marts for that Comodity, their Leaving it off (My Lords) with the hope of sweet sented Tobacco that then bore a price, planted but by a few, gave the People for a time a Competent Subsistance, But now (My Lords) the Number of the Makers is soe increased by yearely Transportations That peculiar sort grown so Comon by the generall planting it that all kind of Tobaccos is as very a Drugg as ever, and soe like to Continue, unless it finds some Regulation from yo^r Lo^{pps} wisdomes since all wayes have beene Experimented both there to mend the Quallity and here to give it what vent forreigne places could receive, yet all Endeav^{rs} have proved soe ineffic^{uall} that it is found cheaper in all places than where produced.

But since yo^r Lo^{pps} have Commanded us to propose what wee thought might give Life to this dying Country, Wee in the first place p^{re}sent to yo^r Lo^{pps} Considerac^{on} and Directions, That some way may be thought on for the setting upon Silke, flax, transporting Masts making Iron Pitch, and Pott Ashes, of all which the Country is most Capable though the Planter by his great Poverty not in a Condition to attempt, they indeed being Workers for publique purses (not for private) to undertake, If any such practicall Expedient can bee found, It will divert many from planting and soe Lessen the Quantity, double to his Ma^{ties} Customs in Staple Comodities, what is taken off from this worth nothing, Keepe great and Considerable Sums within his Dominions which yearely goes out for theis Comodities, and his Majesty will bee furnisht with many necessaries for his Navy of his owne growth at home att a farr cheaper Rate than hee has them now abroad from his Neighbours.

Next wee humbly propose, That the tyme may bee Regulated for the Shippes coming together from those parts, This att Least will bring Security, and may make that harmless Experiment whether or noe that great advance will accrew to the Comodities, as many Knowing Men most confidently affirme.

Lastly, That the stint of dayes (soe much desired by his Ma^{ties} Governo^r soe generally approved by his Ma^{ties} Country)

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may bee equally imposed upon Maryland as well as Virginia, since wee with all tender Respect have considered the Interest of his Lo^{pps} Province, and profess to find the Advantages to it as great as to his Ma^{ties} Country, and noe Inconveniency att all by the in Equality of the Clime (as hath beene Objected) Since want of Raine not Sunne hinders planting of Cropps there, and Raine is as frequent to the Northward as Southward, and for the Propagation of Plants the only thing rationally to bee urged, It hath beene Experimentaly Knowne that they have had them in England (by the help of hott Bedds) as early as wee in those parts, and England is much more Northward than any of his Lordshipp's Dominions, though hee takes New-found Land in, Soe that wee cannot but hope that neither his Lordshipp nor Province (upon second thoughts) will think much for soe great a good to redeeme themselves and Neighbours from inEvitable poverty to bee at that little and inconsiderable Charge and trouble that Gardiners usually are at here for early frutes or Potthearbess.

Theis things wee have thought fitt to present to yo^r Lo^{pps} view hoping by your grave wisdomes there will bee a Period put to theis unnecessary Disputes and some Effectuall and speedy Course taken for the good of both Countryes.

Which shall bee the hearty prayers of yo^r
Lo^{pps} most humble & devoted Servants

Hen: Chicheley
John Jeffreys
Edward Digges
Francis Morryson.

Recd: Nov^r 1664.

19th November 1664.

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The Answer of the Lord Baltemore to the Paper exhibited on 16th instant to the Right Hon^{ble} the Lords of his Majestie's most hono^{ble} Privy Councill by Sir Henry Chicheley, M^r John Jeffreys, M^r Edward Diggs and Collo: Francis Morryson containing certaine Proposals for the lessning of the quantity of Tobacco in Virginia and Maryland &c.

To the first Proposall he shall for his part most readily concur to any expedient that shalbe thought fitt to sett the Plantacōn upon more staple Commodities.

To the second for a regulacōn of shipping to come togeather from those parts he wonders to meet with it here so soone again, when it was so lately upon a full hearing of both sides reveiled by his Majesty's royall Councill Board by an Order dated 29th June 1662 nor hath any relacōn to the lessening the quantity of Tobacco, which was the only thing recommended by the Board to those Gentlemen to make proposals in. And

he humbly conceaves your Lordships will not think it reasonable an experiment should be made as they desire at the cost of so many Masters and owners of ships and Traders to those parts, which the said Gentlemen alleadg no other ground for but the confident affirmacōn of many Knowing men (who may perhaps have a designe of their owne interest in it) and which though they please to call it a harmless experiment would hazard the undoing of a multitude of the lesser Traders to those parts, as was demonstrated in the reasons exhibited to the Councill Board against that Proposall which he hath ready to shew to your Lordships if required.

To the last Proposall for lessening the quantity of Tobacco by a stint, and that the same stint day may be imposed upon Maryland as Virginia.

First he humbly represents to your Lordships that if there be not a notable lessening of Tobacco by such a stint it will be of little avail to the end pretended, and if there be, it will be very prejudiciall to his Matie and the present Termes of the Customes, by notably lessening the Customes and excise upon that Commoditie which he hopes will be alone sufficient to put a stop to this Proposall.

Secondly he cannot see any ground for the pretended great necessity of lessening the quantity of Tobacco nor do they make it out by any prooffe but onely things of their owne affirming which he can as easily deny as they affirme, and he wonders at their saying that Tobacco is brought to so low and contemptible a Rate that the Planter is no way able to live by his labour, struggling daily with such inextricable necessities as may be justly feared will in time make him desperate and indanger the peace of the Country, when these consequences of despair and Mutinie, are much more to be feared from the way they propose of restraining the Planter in Maryland without a Law of the Country, in their liberty, which they conceive is their Birthright as Englishmen of planting what quantity they please of that Commodity, which is to be their money to buy them clothes, tooles, and all other necessities for their subsistence, which priviledge and liberty they hope they have not lost by adventuring their lives and fortunes thither which hath produced to his Majestie a revenue of above twenty thousand pound yearly, which is paid in England for the Custome and excise of the Tobacco which comes from Maryland alone, and the Planters there are so farre from any such Poverty as those Gentlemen alleadg and from not being able to live by their labours that if there be any that live in a poore manner it is not from the low price of Tobacco, but from their owne sloth, ill husbandry, and profusely spending their cropps in Brandewine, and other liquors, it being evident, and Known

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to all, that Know those parts that such as are industrious and frugall, live in great plenty in compare to the husbandmen of England, of the same rank, and divers of them grow from nothing to great estates, and the reason is cleare for a painfull and able man will in a Summer make his four hogsheads of Tobacco which at the rate as it now is will produce in England fourteen or fifteen pound which will buy him cloathes and another servant cleare, besides which he will plant corne enough to find himselfe, and to sell for four or five pound more, and reare a stock of Cattle &c. And therefore as for their calculacōn of two hundred thousand pound sent thither in goods &c by w^{ch} those Gentlemen would inferre the pittifull Income the planter hath for his labour he believes there is both a mistake in the Calculacōns, and a non sequitur in the inference, and that if the Merchants Warehouses here should be searched a little afore new Tobacco come home it would be found that the liberty of Planting hath not swelled the quantity so much above the consumption as those Gentlemen alleadg.

Thirdly he thinks he hath reason to doubt that the Petition from Virginia for this stint was a designe, either to cause some ill reflections upon him and Maryland, as an obstruction to a pretended publique good, or else to putt a notable disadvantage upon Maryland by proposing that which if not consented to might produce the first, and if consented to would certainly produce the second, and his reason is the cause if their designe had been only to lessen the quantity of Tobacco as is pretended they would have embraced what was proffered by the Assembly in Maryland, and himselfe since, abundantly sufficed to that end, For as soone as the Assembly in Maryland understood from him that upon a former Petition about two yeares since, his Majesty in Councell by the above mentioned order of the 29th June 1662. was graciously pleased to recommend to both Colonies the considering of some way for lessening the great quantity of Tobacco the Assembly in Maryland proffered to concur with Virginia to a totall cession from planting any Tobacco at all in either Colony every third yeare which would have been a way free from all exceptions of inequality and most effectually to the end intended, and at his last meeting with those Gentlemen he proposed it as a way he was ready to concur to, but it was not accepted. Then for their owne way of a stint it was also proffered to concur to it, so it were not to the notable prejudice, and disadvantage of Maryland, that is so as there were an allowance of twenty dayes to Maryland, to plant Tobacco after the stint days in Virginia, to balance the difference of the climate. There being above 3 degrees of northerly latitude distance betwixt the northern parts of Maryland and the southern parts of Virginia,

and consequently three weeks difference in the seasons for planting Tobacco.

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Fourthly he thinks fitt humbly to represent to y^r Lordships some difficulties not yet perhaps foreseen that are like to encounter the practice and execution of this way of a stint; viz^t 1. that the seasons for planting Tobacco happen sometimes so variously and uncertainly that if the stint day be set so early in the year as certainly to lessen the quantity of Tobacco it may, it may indanger that very little or none shalbe planted and so undoe the Planter as for example if the stint day had been last yeare the 20th of June, as is desired in the Petition from Virginia, there would have been no Tobacco planted in Maryland and perhaps not much in Virginia, for last year there was no season to any purpose in Maryland till the 20th of July. 2. That there wilbe no means of convicting transgressors without either encouraging servants to inform against their Masters, or next Neighbours one against another, both which wilbe odious and dangerous for perjury and setting families in combustion both within themselves, and one against another, or else appointing Officers in every County, or hundred to veiw every severall Plantation afore, and presently after the stint day, to note and number how many hills, or what portion of a field is planted before the day, which in so many Plantations so farr distant one from another as they are in those parts wilbe a matter of great charge and trouble and no officers wilbe found willing to undertake it without considerable salary for their paines, and no way to raise those salaries. Moreover if any Officers should be appoynted to see to the execution of it, it is to be feared there wilbe that negligence, corruption or partiality in it, as will render it ineffectuall to the end intended as was found by experience in a like Act in Virginia for burning Tobacco, which by this meanes came to nothing.

Lastly if your Lordships notwithstanding all these reasons against it, shall think that way of a stint day for the planting of Tobacco in those parts to be necessary he hopes you will think it just and reasonable that the stint day in Maryland should be at least twenty days after that which shalbe set for Virginia for the reason above alleadged of the difference of the climate, that which those Gentlemen oppose to this having (as he humbly conceaves) no force of reason in it, for, 1. the difference of seasons for rain alters with the clime and so raine may be more frequent at some times to the Northward and yet in Summer more early to the southward. 2. It seems strange those Gentlemen should think it a reasonable answer to salve the difference of the clime, that Maryland may helpe itselfe by hott beds when. 1. that remedy is not practicable by the generality of Planters there, that have neither horses nor

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sheep, nor other means for dung to make them. 2. the plants so produced by force are not halfe so kindly and sound as the others. 3. why should the people in Maryland who are nere as many as are in Virginia be put upon that disadvantage of a work of that trouble and charge, when there is no reason for it but a benefitt to redound to others. 3. if they in Maryland may make hott bedds to hasten their plants three weeks sooner so may they in Virginia too; and so the disadvantage of clime will be still the same, and the stint day of no effect for the lessening of the quantity of Tobacco. 4. He can make it appeare to your Lordships by some Planters of Maryland, now in England, who have had experience of both Colonies that there is three weeks difference between some parts of Virginia, and some parts of Maryland in the seasons for planting of Tobacco and that the reason thereof is the difference of the latitude, which witnesses he humbly desires may be heard before any Order be made in this business, if your Lordships be not satisfied with the reasons aforesayd.

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At the Court at Whitehall
the 25th of November 1664

Present.

The Kings Most Excellent Majesty.

The Arch. Bish: of Canterb: Earl of Bathe

| | |
|------------------------|---------------------------------|
| Lord Treasurer | Earl of Lauderdail |
| Lord Privy Seale | Lord Bish: of London |
| Duke of Buckingham | Lord Wentworth |
| Duke of Ormond | Lord Berkley |
| Lord Great Chamberlain | Lord Ashley |
| Earl of Berkshire | M ^r Secretary Bennet |
| Earl of Anglesey | S ^r Edward Nicholas. |

Whereas a Petition was presented to his Majesty by Colonell Moryson Agent for the Colony of Virginia in the Name of the Governor, Councill and Burgesses there giving an Account of their proceedings upon his Ma^{ties} Instructions for Commissioners to be nominated for the Plantacōns of Virginia, and Maryland to meet and hear of the most convenient way of lessening the Quantity of Tobacco in those Plantacōns which being read at the board it was ordered the 10th day of August last that the Lord Baltemore, Lord and Proprietary of Maryland, should have a Copy of the said peticōn, and both Partyes be heard at the Board the first Councill day after Michaelmas, and accordingly upon the 5th of October the said business was resumed, and after hearing the debates on both sides their Lo^{ps} did then order that the Lord Baltemore, Colonell Moryson, S^r Henry Chicheley Knight Edward Digg's and John Jeffreys Esq^{rs} and

others concerned in the Colony of Virginia should meet to consider of, and frame an Agreement between themselves, and that if they could not joyfully agree thereupon then each party to draw up distinct Proposals, and deliver them to the Board, that the Lords Committees of Plantacōns might be desired to meet, and consider thereof, and Report their opinions to his Majesty whereupon no agreement being settled between them, the said Colonell Moryson, S^r Henry Chicheley, Edward Digg's, and John Jeffreys did upon the 16th present deliver in Proposals which they conceived conducive to the good of Virginia, and the Lords Committees taking the same into serious Consideracōn on the 19th Instant, and having fully heard the Lord Baltemore, and S^r Henry Chicheley, Colonell Moryson, M^r Diggs, and M^r Jeffreys, touching the said Proposals, and consulted with the Farmers of his Ma^{ties} Customs thereupon their L^{opps} thought fitt humbly to represent to his Majesty.

1. First. That the Proposall touching a cessation, stint or limitation of planting Tobacco in the said Plantacōns is inconvenient both to the Planters and to his Ma^{ties} Customes.

2. That the proposall for limiting a time for Ships to return from Virginia or Maryland will be prejudicial both to the Planters and his Ma^{ties} Customes.

3. For encouragement of Planters in the said Colonies to apply themselves to the Planting other Commodities which may be of more benefit than Tobacco, his Ma^{ty} would be pleased to permit that all the Hemp, Pitch and Tarr of the growth, Production or Manufacture of Virginia and Maryland, which should be brought into this Kingdome, for the space of 5 years from the date hereof might be Custome ffree. Which report being read at the Board his Ma^{ty} present in Councill, and concurring in all particulars with the Lords of the said committee did order that there should be noe cessacōn, stint or limitation imposed on the planting Tobacco in Virginia, or Maryland, nor any time limited for ships to come from either of those Plantacōns but every trader thither to be ffree to return theme at his own time, and as his occasions should serve, and his Ma^{ty} of his Princely grace and favour being desirous to give all encouragement to the Planters of both Colonies, did direct that the Right Hon^{ble} the Earl of Southampton Lord High Treasurer of England, and Lord Ashley Chancellor, and under Treasurer of the Exchequer, should give directions to the Officers, and ffarmers of his Majesties Customes for the time being to permitt, and suffer all the hemp, Pitch and Tarr, of the growth, production and Manufacture of the said Plantacōns of Virginia and Maryland, that shall be brought into the Kingdome during the space of five years from the date hereof to be freely imported, and unladed without demanding or receiving any Cus-

P. R. O. tome, or Imposition for the same. Provided that care be taken
Colonial by his Ma^{ties} Officers that under pretence hereof his Majesty
Papers. Vol. be not defrauded of his Dues and Customes, or any Pitch,
XVIII, No. Hemp or Tarr, which is not of the growth Production or Manu-
148. facture of these Plantacōns.

John Nicholas.

Liber H. H. Persons added to the Com^{on} of Kent County (uizt)
p. 212 Jonathan Sybray de Coram
Mathew Read
William Elliott } dated 23th Decembr 1664
Deliuerance Louely }
Rob^t Dunn }

p. 213 To the R^t hon^{ble} the Leiv^t Generall

The humble peticōn of Margaret Hawkins

Sheweth That whereas Cap^t John Norwood late Sherriffe of Ann Arrundell County hath taken away from your pet^{rs} husband, Cattle to the Vallue of one thousand pounds of tob, vpon pretence of a breach of an Act of Assembly by his Sonn Entituled an Act for Millitary discipline when in truth he was never Sumōned thereunto by any Officer nor had knowledge thereof, as may app^r by the Sold^{rs} denying any parte of the said fyne they knowing itt to be vnjustly taken he not refusing to send his Sonn to the place of Millitary Exercise whensoever Summoned therevnto

May itt therefore please yo^r hono^r that seing the Soldiers willingnes to remitt, their parte of the fyne your hono^r would be graciously pleased to remitt yours and that an Ord^r to that Effect may be sent from your Honno^r vnto the sayd Cap^t Norwood to Deliver the said Cattle againe in your pet^{rs} husbands hand and your, peticōner as in duty bound shall pray

Lett the peticōn be granted

Charles Calvert

Whereas Margarite Hawkins in her peticōn declared that John Norwood late Sherriffe of Ann Arrundell County hath Cattle to the vallue of one thousand pounds of tobacco from her husband taken, in Satisfaccōn of a fyne due for not appearing att Musters, in Which peticōn she prayes that as the Sold^{rs} on their, partes hath quitted their Interest to the sayd fyne that the other part may be likewise remitted

Wherefore itt is ordred that the said ffine be fully remitted, and the said Cattle soe taken from the said Hawkins be againe restored and delivered into the

hands of the pet^{rs} Husband And for soe doeing this Liber H. H.
P. 214
shall be your Warr^t Given vnd^r my hand this 19th Day
of January 1664

To Cap^t John Norwood in the
County of Ann Arrundell

[Order of Privy Council.]

After our very hearty comendacōns Whereas by our Letter P. 223
of the Thirteenth of this instant January Wee did direct you to
give Effectuall Order, That all Shipps Trading unto or within
the Capes of Virginia, should Associate & returne from thence
in Company, for their mutuall assistance which the one may
giue to the other, for their better Security & preservacon,
NotwithStanding which wee thinke fitt to lett you know That
by these words (with the Capes of Virginia) Itt was not in-
tended that Mary-Land or any part thereof should bee included
And therefore wee have written to the Lord Baltemore & pro-
prietary of that plantacōn to give Order to the same Effect soe
as you are not to pursue the direccōns in our former Letter
any further then in relacōn to Virginia, and the shipps trading
thither And not doubting of yo^r compliyanse herein wee bidd
you heartily farewell from the Court att Whitehall this 20th of
January 1664.

yo^r very Loving freinds

Albemarle
Manchester
Carbery
Charles
G. Carterett
Tho Ingram

Dorchester
St Alban
Henry Bennett
Edward Walker

Lauderdaill
Ashley

February 10th 1668

p. 214

By Order from the Leiutenn^t Generall to bee Added to the
Comm^{con} of Baltemore County these p^{rs}ons George Vtie
George Goldsmyth and Cap^t John Collier, The two first of the
Coram

February 22th 1664

By the Leiutenn^t Generall Ordered, Antoine Le Compte
haue Pattent of Dennizacōn to him his wife and Children

Mutatis Mutandis in folio 157

To Benois Brasseurs

March p^{ma} 1664

John Nuthall then pet^{ns} for Comm^{con} to trade wth the Indians,
and thereupon Ordered

Liber H. H. Comm^{con} issued to John Nuthall for trade wth the Indians Jdem mutatis mutandis ut est in folio 161 to ditto Nuthall and in force to Continue untill the 25th of ffebruary next ensueing the date thereof being the first March 1664

Bond then likewise giuen by recognizance to the Lord Proprietary of ffue hundred pounds sterling for the said Nuthalls due p^rformance of the said Com^{con} and the last Act of trade wth the Indians to be paid uppon forfeiture att or before the last day of ffebruary next ensueing

p. 215 1664/5 March 2d

By Order from the Leiutenn^t Generall

Ordred Gasper Guerin haue pattent of Dennizacōn to him and his heires

Mutatis Mutandis in folio 157
To Benois Brassieurs

ditto die The same to Egbrett Ganison of Petuxent
Vt Supra

Att a Court held att Newtowne for the County of S^t Maries
the first Tuesday in March 1664

Present

| | | | | |
|---------------------------------------|---|---|---|----------------------|
| Cap ^t Luke Gardner | } | Leiu ^t Coll Jo ⁿ Jarboe | } | Comiss ^{rs} |
| M ^r John Lawson | | Cap ^t W ^m Boreman | | |
| M ^r W ^m Bretton | | Leiv ^t Randall Hanson | | |
| M ^r John Vanheck | | M ^r W ^m Rosewell | | |
| M ^r Nicholas Young | | M ^r W ^m Barton | | |

In reference to an Act of Assembly intituled an Act appointing Sherriffes the Co^{rt} doth p^rsent Cap^t Luke Gardner M^r John Lawson & M^r Vankeekuuts the R^t hon^{table} the Leiv^t Generall to nominate & appoin^t one of them three to serue as Sherriffe in this County of S^t Maries, this next Ensueing yeare, according to the afores^d Act.

A true Coppy from the Record be mee
Walter Hall

Lett a Comission be drawne for M^r John Lawson to be Sherriff this Ensueing yeare & warr^t for the taking a list of Tithables & lett them be sent wth speed to my howse to be signed & sent

Charles Caluert

To Daniell Jenifer Clike
of the provinciall Court

Cæcilius &c. Know yee th^t wee reposing Speciall Confidence Liber H. H.
& trust in you M^r John Lawson & for that the County Court
of S^t Mary's have presented yo^w amongst three to serue as
Sherriffe for the said County for this Ensueing yeare have p. 216
Constituted Ordayned & appointed & doe by theis presents
Constitute Ordaine & appoynt you Sherriffe of the s^d County,
& to have such priuiledges and benefitts as any other Sherriffe
within this our prouince of Maryland now hath or any other
sherriffe of your s^d County ever have had held or Enjoyed or
of Right ought to have had held or Enjoyed To have & to hold
the said office or Jmploy^t for one whole yeare to be Computed
from the first day of Aprill next Ensueing and after till another
Sherriffe by yo^r s^d County Court to be p^rsented shall be law-
fully by Pattent Constituted Provided that he the said John
Lawson doe in open Court in his said County take the Oath of
Sherriffe hereunto annexed & giue security for the well dis-
charging of his Office & trust according to the Act of Assembly
in th^t case provided Given att S^t Marys vnd^r our Lesser Seale
of our said prouince of Maryland the 23th day of March in the
34th yeare of our dominion over our s^d prouince of Maryland
Annoq dom 1664 Wittnes our deare Sonn & heire Charles
Caluert Esq^r our Leiv^t Generall of our s^d prouince of Maryland

These are to will & require you that by the 20th day of July
next you cause a list to be taken of all the Tithables within yo^r
County & that in the s^d list the name & surname of Each Tith-
able p^rson & the howse of his abode be distinctly sett downe &
a Coppy thereof faire written & sent immediately downe to the
Governo^r & Councell & another Coppy of the s^d list sett up in
the Court howse att yo^r next County Court to remaine there
for the whole yeare to the End th^t if any Errors be therein they
may be corrected & the same certefied to the Gover^r & Councell
before the first day of Septemb^r next herein faile not as yo^w will
answere the Contrary And for soe doing this shall be yo^r Warr^t
Given vnder my hand this 1st of Aprill 1665

To John Lawson High
Sherriffe of S^t Marys
County

You shall well & truely serue the Lord Proprietary in the p. 217
Office of a Sherriffe of the County of S^t Mary's & doe his lo^{ps}
profit in all things th^t belongs unto you by way of Office as
far forth as yo^w can or may yo^w shall truely & R^tfully treate
the people of yo^r Sherriffwick & doe Right as well to the poore
as to the Rich in all th^t belongs vnto yo^r Office you shall doe
noe Wrong to any man for any Guift favour hate or other
affeccon yo^w shall duly Execute soe farr as you may all such

Liber H. II. writts & warrants as shall be to you directed by Lawfull Authority and thereof you shall make a true returne According to the Tenor of the writt soe helpe yo^w God

Whereas I am given to vnderstand that some demurr may be made concerneing yo^r officiating the office of Sherrife vntill you have taken yo^r oath in yo^r County Court and given security as in yo^r Comission is provided for, and whereas the Comm^{rs} of yo^r County doe not intend to hold Court in yo^r County vntill June next after wch time must be returned (and that too suddenly) the list of taxable psons according to a speciall warr^t to you directed for that purpose

These are therefore in the name of the Right hono^{ble} the Lord proprietary of this province to will and require and likewise to Impower you John Lawson that forthwith you warne and conuene together at a certaine day to be by you appointed M^r Thomas Dent M^r Randall Henson M^r John Jarboe Cap^t Luke Gardner M^r William Barton and M^r William Rosewell or any foure of them whereof one to be of the Coram together with the Clarke of yo^r County Co^{rt} & that before them you take yo^r Oath belonging to Sherriff as is to yo^r Comission affixed and give bond likewise as is p^rscribed by Act of Assembly in that behalfe and that thereupon you doe all things belonging to yo^r Office of Sherriffe without further delay Lastly that you
 p. 218 cause the Clarke of yo^r County Co^{rt} to send downe to the Leivten^t Generall and Councell with what speed hee may his Certificate of the proceedings herein Given und^r my hand this 11th of Aprill 1665
 To M^r John Lawson

To our very loving freind S^r William Berkley
 Kn^t Governo^r of Virginea

p. 224 Right Hon^{ble}

My humble seruice to you Honour presupposed,

These are to acquainte yo^r Honn^r that Our Comm^{rs} att Our last Court hath Nominated these Gent^l for the Sherriffs Office, according to Act of Assembly (uiz^t) M^r Hugh Stanley M^r Charles Brooke, M^r Thomas Leitchworth Noe more at p^rsent but subscribe my selfe,

Aprill 11th 1665

yo^r Hon^{rs} most humble seru^t
 James Thompson Clk

At a Court held for the County of
Anārrundell

Liber II. II.
p. 218

March 14th 1664/5

| | | | | |
|---------|-------------------------------|----------------|--------------------------|------------------------------|
| Present | M ^r Samuel Wythers | } Robert Burle | } Comisson ^{rs} | |
| | George Puddington | | | Cap ^t Tho: Besson |
| | Richard Ewen | | | Roger Cross |
| | | | | J ⁿ Norwood |

This day the Court tooke into Consideracōn the Election of a Sherrife for the County the next yeare and hath nominated M^r Robert Burle Cap^t John Norwood and M^r Richard Ewen & hath ordred their names to be sent to the Governo^r & Councell according as it is in that case provided to Elect one of them for Sherriff the next yeare ensueinge.

Vera Copia teste me Nath: Heathcoate Cler Com:

Let a Comission be drawne for M^r Richard Ewen for the Sherrife place of An Arrundell County and likewise a Warrt for takeing the list of tithables with the Oath affixt as th^t of M^r Lawsons, Let the bearer hereof have it to bring to mee to Signe

Charls Colvert

Cecilius Absolute Lord & proprietary of the provinces of Maryland & Avalon Lord Baron of Baron of Baltemore &c Know ye th^t wee Reposeing Speciall Confidence & trust in you M^r Richard Ewen And for th^t the Cōnty Court of Anne Arrundell have p^rsented you amongst three to Serve as Sherriffe for the said County for this Ensueing yeare Have Constituted ordained and appointed And doe by these p^rsents constitute ordaine and Appoint You Sherriffe of the said County And to have such priviledges & benifitts as any other Sherriffe within this our province of Maryland now hath or any other Sherriffe of yo^r said County ever have had held or enjoyed or of Right ought to have had held or Enjoyed To have & to hold the said Office or Employ^mt for one whole yeare to be Computed from the day of the date hereof, And after till an other Sherriffe by yo^r said County Court to be p^rsented shall be lawfully by patten^t Constituted Provided th^t hee the said Richard Ewen doe in open Court in his said County take the Oath of Sherriffe hereunto annexed And give Security for the well discharging of his Office and trust According to the Act of Assembly in th^t Case provided Given at S^t Mary's vnd^r our lesser Seale of our said province of Maryland the thirteenth day of Aprill in the foure and thirtyth yeare of our Dominion over our said province of Maryland Annoq Domini one thou-

Liber H. H. sand six hund^d sixty and five Witnes our deare Sonn & heire
 Charls Colvert Esq. our Leiften^t Generall of our said province
 of Maryland

These are to will and require you th^t by the twentyth day of
 July next you cause a list to be taken of all the Tithables with-
 in yo^r County, And th^t in the said list the Name & Surname
 of Each Tithable pson and the house of his Abode be dis-
 tinctly set downe And a Coppy thereof faire written & sent
 immediatly downe to the Goūno^r and Councell And another
 p. 220 Coppy of the said list sett up in the Court howse at yo^r next
 County Court to remaine there for the whole yeare To the
 end th^t if any Erro^r be therein they may be Corrected And the
 same Certifyed to the Governo^r and Councell before the first
 day of September next herein faile not as you will answer the
 Contrary And for soe doing this shall be yo^r Warr^t Given
 und^r my hand this thirteenth of Aprill one thousand six hun-
 dred sixty and five
 To Richard Ewen high
 Sherriffe of Anne Arr-
 undell County

You shall well & truely Serve the Lord prop^tary in the
 Office of a Sherriffe of the County of Ann Arrundell and doe
 his Lordps proffits in all things th^t belongs vnto you by way of
 Office as farr forth as you can or may You shall truely &
 Rightfully treat the people of yo^r Sherriffewick & doe Right as
 well to the poore as to the Rich in all th^t belongs vnto yo^r
 Office you shall doe noe wrong to any man for any Guift favo^r
 hate or other affeccōn You shall duely Execute soe farr as you
 may all such writts & Warr^{ts} as shall be to you directed by
 Lawfull Authority, And thereof you shall make a true Returne
 According to the Tenor of the writt
 Soe helpe you God &c.

Att a Court held at Newtowne for the County of s^t Marys
 the 15th day of Ap^r 1665

| | | |
|--|--|--------------------|
| M ^r Thomas Dent | } Leiut ^t Randolph Hanson } | Comm ^{rs} |
| Leiut ^t Coll In ^o Iarboe | | |

This Court being called and Conuened by warr^t and Ord^r
 from the Hon^{ble} the Leiutenn^t Generall to Administ^r the Oath
 p. 221 of a sherriffe unto In^o Lawson of Poplar Hill Gent: uppon
 Occasione of some urgent Bussiness of the Countys w^{ch} other-
 wise could not bee dispatched. In reference to which the said

John Lawson had his Com^{con} of Sherriffe read in open Co^{rt} and likewise had the Oath Administred unto him which was there affixed to the said Com^{con} And allsoe the said John Lawson gaue Bond to the Court of One hundred thowsand pounds of lawfull tobaccoe of Mary-land for theire security for his good p^rformance of his said Office of sherriffe

Liber H. H.

Vera Copia Walter Hall

Rig^t Honnorable

According to Act of Assembly the Comm^{rs} of Charles County haue nominated three persons out of which yo^r Honno^r may be pleased to Commissionate One to Officiate as High Sherriffe of Charles County for the yeare of Our Lord 1665

The names of which p^rsons are (uiz^t)

M^r Henry Addams

M^r Joseph Harrison

And

M^r Walter Beane

George Thompson
Clke

The Honn^{ble} Leiutenn^t Generall Ordered
that out of the three p^rsons aboue
mencōned Henry Addams bee
Commissionated High Sherriffe
of Charles County, dated
this 19th day of Aprill 1665

Aprill 20th 1665

p. 222

Then Com^{con} Excer^t By Ord^r from the Leiutenn^t Generall prout in Ordinario in folio 218 for mr Henry Addams to be Sherriffe of Charles County, wth the Oath Affixt and Warr^t to take a list of the tythables in the said County as doth follow the Comm^{con} to Richard Ewen in folio: 218 abouesaid

For Sherriffe for Talbott County

M^r Thomas Vaughan

M^r Abraham Bishop

M^r William Taylor

Test. p mee

Thomas Vaughan Clk

Ordered by the Hon^{ble} Leiutenn^t Generall that Thomas Vaughan One of the three persons aboue mencōned be Elected sherriffe for Talbott County for this yeare of 1665

Whereuppon Com^{con} Excer^t the 20th Aprill 1665 prout in Ordinario in folio 218, for Mr Thomas Vaughan to be sherriffe

Liber H. H. of Talbott County, wth the Oath Affixt, and Warrant to take a list of the tythables in the s^d County as doth follow the Comm^{con} to Richard Ewen in folio 218 abouesaid

p. 224 Ordered by the Hon^{ble} Leiutenn^t Generall That
Entred Thomas Vaughan One of the three p^rsons abouemen-
before cōned be elected sherriffe for Talbott County for this
 year of 1665

Whereuppon Comm^{con} Excer^t the 4th May 1665 prout in Ordinario in fol: 218 p Thomas Vaughan

Ordered by the Hon^{ble} Leiutenn^t Generall that M^r Charles Brookes One of the three p^rsons aboue mencōned be Elected sherriffe for Caluert County for this year of 1665

Whereuppon Comm^{con} Excer^t the 4th may 1665 prout in Ordinario in fo: 218 p Charles Brooke to be sherriffe of Caluert County wth the Oath Affixt, and warr^t to take a list of the Tythables in the s^d County as doth follow that Com^{con} to Rich^d Ewens in folio 218 aforesaid

p. 225 John Collett Clarke of Baltemore County acquaints the Hon^{ble} Leiutenn^t Generall that theire County Court hath Elected three p^rsons to serue as Sherriffe for that County for this year 1665

Ordered by the Leiutenn^t Generall that M^r John Collett One of the three p^rsons (the other being Godirey Bayley and Nathaniell Styles) nominated be Elected Sherriffe for Baltemore County for this year 1665

Whereuppon Comm^{con} Excer^t the 4th may 1665 prout in Ordinario in fo: 218 p John Collett to be Sherriffe of Baltemore County wth the Oath affixt and warr^t to take a list of the tythables in the said County as doth follow that Com^{con} to Richard Ewens in fo: 218 aforesaid

Charles Brookes now Elected Sherriffe of Caluert County desires Com^{con} to Conuene some Comm^{rs} to Sweare him, as followeth

Whereas I am giuen to understand that some demurrer may be made concerning the Officiating the Office of Sherriffe untill yo^w haue taken yo^r Oath in yo^r County Court & giuen security as in yo^r Comm^{con} is Provided for, and whereas the Comm^{rs} of yo^r County doe not intend to hold Court in yo^r County untill the 20th day of June next, after which time must be returned (and that too suddainely) the list of taxable p^rsons according to a speciall warr^t to yo^w directed for that purpose

These are therefore in the name of the Rig^t Hon^{ble} Hon^{ble} the Lord Prop^r of this prouince to will and require and likewise to impower yo^w Charles Brooks that forthwth yo^w warne and Conuene together on munday next being the 22th of this instant month of May Major Thomas Brooke Thomas Leitchworth William Dorrington William Groome and Tobias Norton or any foure of them whereof One to be of the Coram, Together wth John Turuill the intended Clarke for yo^r said County Court And that before them yo^w take yo^r Oath belonging to Sherriffe as is to yo^r Comcōn affixed, and giue bond likewise as is p^rscribed by Act of Assembly in that behalfe, and that there uppon yo^w doe all thinges belonging to yo^r Office of Sherriffe wthout further delay, And allsoe they the said Comm^{rs} are required to Administer Oath to the said In^o Turuill uppon his being receiued as Clarke of yo^r Court, After w^{ch} yo^w cause him the said Turuill to send downe to the Leiutenn^t Generall and Councell wth w^t speed he may his Certifficate of the Proceedings herein Giuen und^r my hand this 17th day of May 1665
To Charles Brooke gent^t Charles Caluert

Liber II. H.
p. 226

By Charls Calvert Esq. Leiviten^t
Generall of Maryland

Haveing Certaine Notice that there hath bene of late Seuerall persons & Inhabitants in this province Wounded and Slaine by some stranger Indians in and about yo^r p^rcinets and other places Adjacent, You are therefore upon sight hereof to take a speciaall Care by sending out Scouts to the heads of the Rivers within yo^r Division (or otherwise as by the Advice of the Comm^{rs} of yo^r County or the Major part of them shall be Judged Convenient) to Secure the peace and persons of the Inhabitants within yo^r said Division from the Incursions of any Indians whatsoever, and for the prevencōn of their further mischeif's, and according to such Informatiō as you shall Credibly receive by the said Scouts or any other person, You are hereby Impowred to raise and press what number of men as to you shall seeme meet for the Suppressing takeing Surprising wounding or killing of any such Indian Enemies as likewise to press any such boats or Vessells horses gunns powder shott or other Amunicōn & p^rvisions as shall be necessary and usefull for you & yo^r Company in the said March, or any thing elce that may be for the expedicon of any yo^r proceedings herein, And further to Authorize you and all persons und^r yo^r Comānd, The persons of any Indians not allyes of this province to take and surprize and in case of resistance to wound and Kill, And I doe hereby will and require you to send all prisoners (that shall be taken by you) By water

p. 227

Liber H. H. immediately to St Mary's to be according to Law proceeded against Given at St Mary's und^r my hand & Seale this Twenty Ninth day of May One thousand six hund^d Sixty five

The same Corn^{con} issued Verbatim to Cap^t Tho:
Beesson and Cap^t John Norwood

Att a Councell held in the Office Chamber
at s^t marys on the 6th day of June 1665

Prsent { Charles Caluert Esq^r Governo^r }
 { Philip Caluert Esq^r Chancello^r }

Then was Thomas Truman gen^t Sworne One of
his Lordps Councello^{rs} for this Prouince

p. 228 After which being admitted into Councell, Was then taken into debate some speedy way for the p^ruencōn of the Indian Enemyes further incursions into this prouince, And how they may be suppressed for the future,

Wherefore Ordered that Coll william Euans doe forthwth prouide and presse thirety able men in this County of s^t marys, and a p^rson fitt to Comānd them wth sufficient ffoott Armes and Amunicōn that is two pounds of powder and ffiue pounds of shott each man wth prouisiones, and what thinges else may be necessary in this Expedicōn, And then to march up to the County of Ann Arrundell there to be receiued by Cap^t William Burges, And his Orders and Comands to follow being in Cheife to Comand Ouer those forces that shall there meet or bee raised in that County

That Cap^t Rob^t Troope doe take the like Care for the pressing 30 men, and prouide a p^rson to Comānd them, wth sufficient ffoott Armes and Amunicōn as abouesaid, And then march forward to Cap^t william Burges, in Anne Arrundell County to waite and receiue Orders from him being Comand^r as aforesaid

That Major Thomas Brooke doe likewise cause ffourty men to be rais'd by presse or Otherwise in Caluert County, that is twenty out of the riuier of Petuxent and twenty off from the Clifts wth One p^rson fitt to Comand them wth sufficient ffoott Armes and Amunicōn as aforesaid, and then to march forward to Cap^t William Burges in Anne Arrundell County there to receiue Orders from him as Comand^r as aforesaid

p. 229 That the said Cap^t William Burges doe raise by presse or otherwise in Anne Arrundell County thirety men for this Expedicōn Wth sufficient Armes and Amunicōn as aforesaide and allsoe to proceed in what he hath heitherto acted, and according to former Orders And as the Comand^{rs} in Cheife

shall see good to press and raise more men for the goeing forward of this designe Liber II. II.

And that the now Commissionated Captaine for Kent County doe presse and raise tenn men in that County, besides One to be by him appointed for their Officer wth sufficient ffoott Armes and Amunicōn that is two pounds of powder and ffiue pounds of shott wth Prouisiones or Boates to transport them to Cap^t William Burgis of Anne Arrundell County there of him to receiue further Orders as Commander in Cheife of the said forces aforesaid

Ordered that John Cobreth be Co^mmissionated Captaine for that Company on the Clifts

Ordered that George Reed be Co^mmissionated Captaine for that Company about s^t Leonards Creeke.
Whereuppon

Com^{con} issued for Cap^t George Read to be Captaine of All the forces from s^t Leonards Creeke to the Coues on the North-side of Petuxent Riuer and from his owne plantacōn to Cædar Point on the South side of the said riuer according to the forme of a Com^{on} for a Cap^t of ffoott giuen to Cap^t Euans folio 23 appeares Giuen und^r my hand and seale this 6th day of June 1665

Com^{con} issued for John Cobreth to be Cap^t of all the forces betweene the Coues of Petuxent Riuer and the Herring Creeke According to the forme of a Comm^{con} for a Cap^t of ffoot to Cap^t Euans fo: 23 ut supra Giuen under my hand and seale this 6th June 1665

According to the foregoeing Order this Com^{con} issued to Cap^t William Burgis to be Cap^t of all the forces raised out of s^t marys Charles Caluert, Ann Arrundell and Kent Countyes for the said Expedicōn (uizt) p. 230

Charles Caluert &c, To Cap, William Burges Greeting
Whereas Diuerse Forraigne Indians haue of late Committed diuers murthers uppon the people of this Prouince and Co^mmitted diuers others Outrages for repression of which I haue thought fitt to raise a Competent Number of Men Now Know Yee that I reposing especiall confidence in yo^r fidelity Courage and Experience in Martiall Affaires haue Constituted Ordained and Appointed and by these p^rsents doe Constitute Ordaine and appoint yo^w Comand^r in Cheife under mee of all the forces soe raised in s^t marys Kent Charles Caluert and An Arundell Countys against the said Indians to make warre and pursue and by Gods Assistance to Vanquish and Kill and Generally in all things to doe all or any thing or things as any Comand^r in Cheife may or of Right Ought to doe according to such Instruccōns as I haue herewth sent or shall from time to time send yo^w Giuen at s^t marys und^r my hand and Seale this 6th day of

Liber H. H. June in the 34th yeare of his Lordps Dominion Ouer this Prouince Annoq Domini 1665

Charles Caluert

Instruccōns directed by the Hon^{ble} the
Leiutenn^t Generall Charles Caluert Esq^r &c,
To Cap^t William Burges and sent wth his
Com^{con} dated 6th day of June 1665

Imprimis yo^w are to take Vnder yo^r Charge and Comānd the Seuerall parties of men raised in S^t Marys Kent Charles and Caluert Countys as those in An Arundell Countys wth which men according to your Best discrecōn and wth the Aduice and
p. 231 Consent of the major part of the Officers comāding in the Seuerall partyes yo^w are to Endeauour to find out the Indian Enemy in their Quarters and them by Gods Assistance to Vanquish or Otherwise driue Out of this Prouince or Otherwise uppon the place and Emergent Occasions as yo^w wth the Aduice and Consent aforesaid shall finde it more Expedient and for the safety of the Prouince in Generall to keepe seuerall partyes ranging the woods as well to the Head of Petuxent as Patapsco & Bush Riuers or euen up to the Vtmost bounds of the Prouince uppon the Sasquesahanough riuier

Secondly yo^w are to take speciall Care to see yo^r men want not necessary prouisiones for foode nor Armes nor Amunicōn and to that end yo^w are to issue Orders to the Sherriffes or other Officers next to yo^w in the seuerall Countyes where yo^w shall chance to come in pursuite of yo^r Commission to presse any Armes Ammunicōn or Prouisiones Needfull; Who are to keepe exact and true accompts of such thinges so pressed as aforesaid

Thirdely yo^w are to take especiall Care of the People in Patapsco riuier and Gunn Powder Riuier and to that end yo^w are to keepe a Constant Correspondence wth yo^r Colonell Lewis Stockett, whom, when yo^w shall Chance to meet yo^w are to Obey in all thinges

Fowrthly To the end all necessary assistance may be Giuen to all places in danger yo^w are to giue notice of all yo^r proceedings and all intelligence yo^w shall receiue to me twice euery weeke and Oftener if need be, and to presse messengers expressly to bring yo^r letters to me as also to send yo^r intelligence to your Collonell as often as need shall be, and Generally yo^w are to presse Boates men or horses either to Carry Baggage
p. 232 or to March after the Ennemy as yo^w shall see Occasion

Fifthly Yo^w are to Associate wth any the freinde Indians to any number yo^w shall finde most Conuenient for the seruice now in hand: but in yo^r march or in yo^r Quarters yo^w are to

take speciall Care, that noe English doe Game or wrestle wth Liber II. II.
any Indians so to auoid all Occasions of Quarrell

Comm^{con} to Collonell W^m Euans for the raising
those thirety p^rsons in the foregoeing Ord^r (uizt)

Collonell William Euans

Immediately uppon sight hereof yo^w are to Cause thirety able
men to be pressed out of s^t marys County wth sufficient ffoott
Armes, and to finde out a fitt p^rson to Com^dand them and alsoe
to presse for euey man soe raised, two pounds of powder and
ffue pounds of shott

And yo^w are to impower the p^rson by yo^w to be placed in
Comand Ouer the said thirety men to quarter the said men in
theire March upp to Cap^t William Burges in Ann Arundell
County or else to presse sufficient prouisiones for them in
theire s^d march to him; And Order the said Comand^r Comand^r
the said Burges to March and him to Obey Or his Collonell
Lewis Stockett when p^rsent, till further Order from mee, And
this shall be yo^r warr^t Giuen und^r my hand att s^t Marys this
6th day of June 1665 Charles Caluert

Idem Mutatis Mutandis to Major Thomas Brooke for
40 men out of Caluert County 20 of from the Clifts and
20 in Petuxent riuer to march to Cap^t w^m Burges &c

Idem mutatis mutandis to Cap^t Robert Troope for 30
men out of Charles County to march ut supra

Idem mutatis mutandis to the Cheife Officer for Millitary p. 233
Discipline in the Island of Kent for 10 men in that County
to march &c

Cap^t Burges his Com^{con} impowring him to raise what
number of men as to him shall seem meet had not one
of the foregoing priuate Order for 30 men according
to the Order of Councell

Orders to the sherriffes for procuring p^rsons of the
Neighbour hood to supply the Crops of those men prest
or raised in the seruice ags^t the Indians (Vizt)

Whereas by Reason of a late Incursion of the Indians diuers
p^rsons haue been pressed out of yo^r County to goe out for the
defence of the Prouince in Generall whose Crops if not looked
after will in a months time be utterly lost, And the Charge of
the Prouince thereby become uery greate Yo^w are therefore in
the name of the Rig^t Hon^{ble} the L^d Prop^r of this Prouince

Liber H. H. straightly Charged & Comanded to issue yo^r warrants to the seuerall Constables wthin yo^r County to take notice what p^rsons haue been pressed for this p^rsent expedicoⁿ and what Crops they haue standing of Corne and Tobacco and what Ground they haue prepared for tobacco and the same to Cause to be tended and planted as the seasons doe p^rsent and need shall require by the people of the Neighbourhood for and during the terme. of Six weekes next after his departure if he or they shall be soe long out upon the seruice And this shall be yo^r warr^t Giuen und^r my hand this 6th day of June 1665

Charles Caluert

To the Sherriffe of s^t Marys County

The same Order issued to the Sherriffe of Caluert County as is before exprest uerbatim

The same to the sherriffe of Ann Arrundell County

The same to the sherriffe of Kent County

The same to the sherriffe of Charles County

June 16th 1665

John Lumbrozo then pet^{rs} for Commission to trade wth the Indians, Thereuppon Ordered by the Leiutenn^t Generall That Commission issue to the said Lumbrozo for trade wth the Indians

Idem mutatis mutandis ut est in fo: 161 pro John Nuthall, in force to Continue untill the last day of may next ensuing

The said Lumbrozo then entred into recognizance to the Lord Proprietary of ffive hundred pounds Sterling, for the said Lumbrozo his due p^rformance according to the said Com^{on} and the last Act for trade wth the Indians to be paid uppon forfeiture att or before the last day of may next

The Comm^{rs} for the County Court of Kent p^rsents 3 p^rsons one of w^{ch} they desire the Gouverno^r to Elect for sherriffe of the said County their names are as followeth

Mathew Read Deliuurance Louely & Jn^o Vickoridge

Ordered by the Leiutenn^t Generall that

Com^{con} issue for Jn^o Vickoridge to be Sherriffe for Kent County, wth the Oath affixed warr^t to take a list of the tythables and Com^{con} to Conuene 3 Comm^{rs} for the swearing the said Vickoridge forthwth

which are all as followeth (uizt)

Cæcilius Absolute Lord and proprietary of the provinces of Maryland & Avalon Lord Bāron of Baltemore &c Know ye that wee Reposeing speciall confidence and trust in you John Vickoridge gent and for that the County Court of Kent have p'sented you amongst three to Serve as Sherriffe for the said County for this ensueing yeare have Constituted Ordayned and appointed and doe by these p'sents Constitute Ordaine and appoint You Sheriffe of the said County And to have such priviledges and benifitts as any other Sheriffe within this our province of Maryland now hath or any other Sheriffe of yo^r said County ever have had held or enjoyed or of Right ought to have had held or enjoyed To have and to hold the said Office or Employ^mt from the day of the date hereof untill the first day of Aprill next Ensueing and after till another Sherriffe by yo^r said County Court to be presented shall be lawfully by pattent Constituted Provided that hee the said John Vickoridge doe in open Court in his said County take the Oath of Sheriffe hereunto annexed and give Security for the well discharging of his Office and trust according to the Act of Assembly in that case provided Given at S^t Marys und^r our lesser Seale of our said province of Maryland the 30th day of June in the 34th yeare of our Dominion over our said province of Maryland Annoq. dñi 1665 Witnes our deare Sonn and heire Charls Calvert Esq our Leiuten^t Generall of our said province of Maryland

Liber H. H.
P. 235

These are therefore to will and require you that by the last day of July next (if Conveniently then before) you cause a list to be taken of all the Tythables within yo^r County and that in the said list the Name & Surname of Each Tythable pson and the house of his abode be distinctly set downe and a Coppy thereof faire written and sent immeadiatly downe to the Governo^r and Councell & an other Coppy of the said list sett up in the Court house at yo^r next County Court to remaine there for the whole yeare to the end that if any Error^s be therein they may be corrected & the same certified to the Governo^r & Councell before the 1st day of September next herein faile not as you will answer the Contrary And for soe doing this shall be your warr^t Given und^r my hand this 30th day of June 1665 To John Vickoridge High Sherriffe of Kent County

P. 236

You shall well & truely serve the Lord proprietary in the Office of a Sherriffe of the County of Kent & doe his Lordps proffitt in all things that belongs unto you by way of Office as farr forth as you cann or may You shall truely & Rightfully

Liber H. H. treat the people of yo^r Sherriffewick & doe Right as well to the poore as to the Rich in all that belongs unto yo^r Office You shall doe noe wrong to any man for any guift favo^r hate or other affeccōn You shall duely Execute soe farr as you may all such writts & warr^{ts} as shall be to you directed by lawfull Authority & thereof you shall make a true Returne According to the Teno^r of the writt Soe helpe you God

Whereas Demurr may be made Concerning yo^r Officiateing the Office of Sherriffe untill you have taken yo^r Oath in yo^r County Court & given Security as in yo^r Comission is provided for and whereas the Comm^{rs} of yo^r County may not hold Court timely enough for the takeing list of the Tythables in yo^r said County according to a speciall warr^t to you directed for that purpose These are therefore in the name of the Rig^t hono^{ble} the Lord proprietary of this province to will & require you & likewise to Impowre you John Vickoridge that forthwith you warne and Conuene together at a certaine day to be by you appointed Cap^t Robert Vaughan with two more of his Lordps Com^{rs} & the Clarke of yo^r County Court & that before them you take yo^r Oath belonging to Sheriffe as is to yo^r Com^{con} affixed and give bond likewise as is p^rscribed by Act of Assembly in that behalfe & that thereupon you doe all things belonging to yo^r Office of Sherriffe without further delay Lastly that you cause the Clarke of yo^r County Court to send downe to the Leivetenn^t Generall & Councell with what speed hee may, his Certificate of the proceedings herein Given und^r my hand this 30th day of June One thousand six hundred Sixty five

P. 237

Charls Calvert Esq. Captaine Generall of all the forces within this province of Maryland und^r the Right hono^{ble} Cæcilus Absolute Lord and prop^rtary of the same To Cap Jonathan Sibrey Greeting According to the power to mee by his said Lōrdp Comitted and upon the speciall trust & confidence J have in your fidellity Circumspeccōn courage and good Conduct J doe hereby Constitute Ordaine and appoint you Captaine und^r mee of all the forces upon the Island of Kent, them to Muster exercise and traine up in the Art of Warr and discipline Millitary and in all things to doe as any Captaine of a Company of foote may or of Right ought to doe to the resistance of all Enemyes Suppression of all Mutinyes insolencies insurreccōns and rebellions whatsoever according to such Ord^{rs} & direccōns as you shall from time to time receive from mee and to that end to list such and soe many of the inhabitants within the Island aforesaid as you shall thinke fitt and them when and as often as you shall thinck Convenient to

Muster and traine soe that they may be in a readiness as Liber H. H.
Occasion shall require, to attend my further comānds with
fitting Arms and Amunicōn for the purpose aforesaid To have
and to hold the said Office & Comānd till the Lord proprietary
or his heirs or his or their Leiutenn^t cheife Governo^r or Captaine
Generall for the time being shall signifye his or theire pleasure
to the Contrary And all persons whatsoever are hereby strictly
charged and required to yeild all due Obeadience to you the
said Cap^t Sibrey in all things appertaineing to the Comānd &
Office hereby Conferred on you, as they will Answere the
Contrary at theire perill Giuen und^r my hand & Seale this
fourth day of July in the foure and Thirtyth yeare of his Lōrdps
Dominion over this province Annoq dñi One thousand six
hundred Sixty five

These are to Impowre you to Sweare into yo^r Comm^{con} these p. 237
persons whose names are here und^r written as followeth
(vizt)

Mr Symond Carpenter

Mr Philip Stephenson

and

Mr Thomas Powell

And for soe doing this shall be yo^r warr^t Giuen und^r my
hand this fourth day of July 1665

These are to impower yo^w to sweare into yo^r
Comm^{on} these p^rsons whose names are
here und^r written as followeth (uizt)

Mr Richard Bennitt of the Quorum

Mr Augustin Herman

Mr James ffrisby

Mr John Dickson and

Mr Richard Ball

And for soe doing this shall be yo^r warr^t Giuen und^r my
hand this 4th day of July 1665

Charles Caluert

¹⁶⁶⁵
^{July 13th} By Ord^r from the Leiutenn^t Generall then Nicholas
ffontaine late of Virg^a and Subject of the Crowne of
france had Pattent of Dennizacōn for this prouince

Idem Mutatis Mutandis ut est uerbatim pro Benjamin
Brasseur in folio 157

Dated ut Supra

Liber H. H.
p. 238

By ord^r from the hono^{ble} the Leivtenn^t
Generall of Maryland

Att a Councell held in the Office Chamber
att S^t Mary's the 25th of July 1665

Present { Philip Calvert Esq Chancello^r
 and Deputy Governo^r
 m^r Baker Brooke {
 Coll William Evans { Councello^r
 m^r Thomas Truman }

Was then taken into consideracōn some speedy way for the
prevenōn of the Jncursions made by the fresh Troopes of
Cinago Indians into this province

The Debate whereof is left till to Morrow morning vntill
which tyme the doe Adjourne

July 26th

All present as before

Then Ordered.

That the Sould^{rs} now all ready raised be sent forthwith to the
Frontire, That is to say that the partyes drawne out of S^t Marys
Charles & Kent County's be sent into Baltemore County there
to secure that County as well on the Easterne as on the
western side of the bay & to be Comanded by Coll Lewis
Stockett or some other fitt person of an abler body to Endure
the hardship of the Woods living in that County & to be
Appoynted by him

That the Comand^{rs} owne intrest there may Oblige them to
be dilligent in Rainging the woods & to the intent they may
the Easierly find out this Skulking Enemy that such comandars
shall have power to call to their assistance any number of
freind Jndians they shall thinke fitt & to propound to them the
reward of one hundred armes length of Roanoke or (the value
thereof) in Peake for every prisoner they shall deliver alive or
otherwise the same rate for Every Mann of the Enemy's they
kill Provided they bring in his Right Eare according to a former
Order of the Councell,

That the party raised in Caluert County doe march into Ann
Arrundell County to Cap^t Burges & that he doe with that party
p. 239 & his owne party rayased in that County Endeavour to Secure
that tract lying betweene Patapsco & Potomecke or att lest
the head of Petuxt calling to his asistance the aforesaid Indians

That Baltemore County doe furnish all such men as come
vp into that County for defence of itt with provisions during
their abode there & that they charge be brought to the publicq
Acco^t

The same for Ann Arrundell & Calvert County's for such men as shall come thither for defence of them or March through them vp into Baltemore County Liber H. H.

That what soeuer freind Indians shall be out in service with theis party's shall be provided with Victuall & Quartered with the English soe to keepe the partyes together That Every Sold^r be warned to bring shooes & a shirt with him & if perchance any be soe poore as not to be furnished that he be furnished att the place of Rendevou's To this End that all the shooes that can possibly be found be pressed vpon the Acco^t of the province till store be made vp one hundred & fifty paire att least besides what must be immediatly distributed amongst the Souldiers

That Ammunicōn be every where taken vp vpon the Acco^t of the province alsoe till the store be made two hundred pound powder & five hundred pound of shott or lead

That the Comander with Every Party have power to Quarter soldiers in his March or presse provision as occasion shall require & to giue Ticketts th^t soe the charge may be brought to the publiq account of the province And vpon urgent Occasion & the sold^{rs} in very greate want to presse clothing or boates vpon the publiq acco^t alsoe

That all Smiths which have tooles be forced to fixe armes for the Soldiers & all other the Inhabitants of the province, the persons employing such smiths tending their Cropps during the tyme they are Employed in fixing of gunns, & paying over & above reasonable prices for such worke as by them shall be donne for them

That Coll. Stockett send Order to presse Twenty soldiers well provided as afores^d in Talbott County & the south-side of choptanke riuier in case he doe find he hath not force Enough p. 240 to resist the Enemy

That the Officers comanding the partyes Exchange any men they find in their company vnfitt for the Service & to presse others in the^r roomes within the County's out of which they had their party's

That Rich^d ffreeman the Indian be put in the roome of the one of Leiv^t Bogues men & th^t M^r Trueman veiw his Cropp & building & that his Crop be tended as other the Soldiers are tended by the hund^d & his howsing built by the Carpenters that are to pay worke & that incase any greater damage come to him then Ordinary itt shall be borne by an Equall charge vpon the province

That as by former Order of the Councell the Crops of all the soldiers sent out weere to be tended by the hund^{dd} for six weekes now in regard they are to stay out longer that the Respectiue hundreds shall tend the crops of the Sold^{rs} till they be housed if they stay out soe long

Liber H. H. That the Comand^{rs} take care that the Ammunicōn be not vnnessessarily shott a way & that when the soldiers are dismissed they doe not permitt them to Carry away more Ammunicōn then is absolutely necessary for their defence

Further Ordered that Thomas Mathews doe send to the Emperour of Pascuttaway and the rest of the Indian Kings in Potomoke riuier to send out partyes to search for the Enemy Indians now abroad

Warr^{ts} this day issued from the Hon^{ble} Chancello^r and deputy Gouerno^r to all the Constables of each respectiue Hundred, to warne the soldiers wthin theire s^d Hundred to appeare att the mill att newtowne on Satterday next by 12 of the Clock wth one fixed Gunn and one pound of powder and 3 pound of shott wth a dayes prouisione and to giue notice to the Inhabitants of that Hundred to tend the Crops of the said soldiers untill further Order from the Gouerno^r and Councell,
Philip Caluert

Warr^t likewise then issued to the Sherriffs of Charles Caluert Anne Arrundell & Kent Countys, to issue new warr^{ts} to the respectiue Constables of each Hundred wthin each County for the tending and manuring each p^{rs}ons Crop by the neighbourhood, untill they shall be housed if they shall stay out soe long

Philip Caluert

S^r this by M^r Smyths entreaty is to desire yo^rselfe and those of the Councell that are mett to consider what lease may be fitting to be giuen him of the house and land he now liues on and what euer by yo^rselfe and Rest of the Gentlemen is concluded on is allsoe here assented to by

S^r yo^r humble seruant

To the Hon^{ble} Philip Caluert
Esq^r Chancello^r these,

Charles Caluert

In pursuance of the aboues^d warr^t from the Leiutenn^t Generall, it is Ordered that william Smyth haue a lease for 51 yeares of the state howse at S^t Marys according to an Act of Assembly in that Case prouided

July 27th 1665

Then Comm^{con} issued to his Lord^{ps} Comm^{rs} for Kent County to sweare into theire Comm^{con} Docter Bartholemew Glenin and One of the Quorum, Giuen und^r the Leiutenn^t Generalls hand the day & yeare abouesaid

Charles Caluert

Leiften^t Thomas Trueman

Liber H. II.

You are hereby Impowred to Administer this Oath following to all those who have Occasion to Enter Land in this province Given &c this 23^d Aug^t 166

Charls Calvert

The forme of the Oath

P. 223

You shall Sweare that those persons by you here entred and named were transported into this province here to inhabite and th^t noe land hath bene taken up for them Legally within this province Soe helpe you God

1665 August 28th

P. 242

Commission then issued to M^r Step: Horsey and Cap^t W^m Thorne to continue Justices of the Peace on the Easterne Shore, wth addicōn of Six more whose names are as foll: uizt

| | | |
|-------------------------|---|--------------|
| George Johnson | } | John Winder |
| W ^m Stephens | | James Jones |
| John White | | Henry Boston |

Idem Mutatis Mutandis wth that Comm^{con} in folio 198 to the s^d Horsey & Thorne

Septemb^r 2^d

Commission then issued To Cap^t William Thorne to Co^mmand all the fforges (as Cap^t) on the Easterne Shore of this Prouince, from Wiccocomoco that Joynes upon Mannij to that part of Pocamoke on the said Easterne Shore, that is or shall be inhabited, wthin this s^d prouince of maryland, them to muster Exercise &c.

Charles Caluert

Idem mutatis mutandis ut est in folio: 23

To Cap^t William Euans

Octob^r 7th 1665

Then By Order from the Leiutenn^t Generall was granted unto Bennitt Marchegay frenchman a pattent of Dennizacōn, Vt est in folio 157 mutatis mutandis Benois Brasseur dated ut Supra

October 7th

P. 243

Then Com^{con} issued by Ord^r from the Lieutenn^t Generall for Francis Wright to be Cap^t Leiutenn^t Vnd^r Collonell Lewis Stockett of the foote and his owne to be raised, mutatis mutandis ut est in fo: 24 to Leint^t John Jarbo

Liber H. H.
P. 245

Ordered att a Prouinciall Court
held the 10th Octob^r 1665 (uizt)

Whereas to be Remembred that this Eleaventh day October one thousand six hundred sixty five Came to the Governor and Councell in Provinciaill Court assembled Nancotamon one of the greate men of Mattawoman & desired to know what was the Governo^{rs} pleasure to doe with his nacōn (vizt) whether he would have them Remove further of into the woods or to re-mayne vpon the land where they now or lately lived, for they were ready to Obey his Comānds, Wherevpon the Governo^r desired the opinion of the Councell whether itt were fitt to drive the said Indians further of or otherwise to Continue them still vpon their Ould habitacōn where they are within our Comand. And itt was the generall opinion of the bord that itt was most for the safety of the Province to Continue them neere us as being more vnder our Comand.

And therevpon Ordered

That the Mattawoman Indians doe remaine vpon their ould Habitacōns till further Order, And further itt is Ordered that their land be with all Convenient speed laid out for them by certeine Meets & bounds within which noe English man shall take vp any land, And for as much as the generall peace and safety of the Province is more pretious then the Private Convenience of any perticuler persons whatsoever itt is also
p. 246 Ordered that noe English man shall seate for the future in any place within three Miles of the Indians in Charles County without Expresse order of the Governor and Councell first had and obteyned vpon payne of Twelve Months Imprisoment to Every person that shall soe Seate

Cæcilus &c To Samuel Withers Robert Barle Cap^t W^m Burges Thomas Taylor Roger Gross Thomas Besson Anthony Sallaway Richard Ewens George Puddington & Samuel Chew gent Greeting Know ye that wee for the great trust & Confidence wee have in yo^r fidellityes Circumspeccōns providences & wisdomes have Constituted Ordained and appointed & doe by these p^rsents constitute Ordaine and appoint you the said Samuel Withers Robert Burle Cap^t W^m Burges Thomas Taylor Roger Gross Thomas Besson Anthony Sallaway Richard Ewens George Puddington & Samuel Chew gent Comīssioners Jointly and seu^rally to keepe the peace in Arrundell County, And to keepe and cause to be kept all Lawes and Ord^{rs} made for the good & Conservacon of the peace And for the quiet rule & governm^t of the people in all & every the Articles of the same And to Chastise and punish all persons offending ag^t the forme of any the Lawes and Ord^{rs} of this our prouince

or of any of them in Anne Arrundell County afores^d as accord- Liber H. H.
ing to the forme of these Lawes and Ord^s shall be fit to be
done Wee have also Constituted & Ordained you and every
four or more of you of wch you the s^d Sam Withers Robert
Burle Cap^t W^m Burges and Thomas Taylor (unless some one
of our Councell be p^rsent) are also to be Our Comm^{rs} to
Enquire by the Oathes of good & lawfull men of your County
afores^d of all manner of fellonyes Witchcrafts Inchantm^{ts}
Sorcerys Magick Arts Trespasses forestallings Ingrossings &
Extortions whatsoever and of all & singuler other misdeeds
& Offences of wch Justices of the peace in England may or
ought lawfully to Enquire by whomsoever or whensoever done
or p^rpetrated or wch hereafter shall happen to be done or per-
petrated in the County aforesd ag^t the Lawes & Ord^s of this
our province Provided that you proceed not in any of the Cases p. 247
aforesd to take life or Member But that in every such case you
send the prisoners with their Inditem^t and the whole matter
depending before you to the next provinc^l Co^rt to be holden
for this our province whensoever or wheresoever to be holden
there to be tryed And further wee doe hereby Authorize you
to Issue writts processes Arrests & Attachm^{ts} to hold plea of
Oyer & Terminer and after Judgm^t Execucon to award in all
causes Civill whether in Actions reall or personall where the
thing in Action doth not exceed the value of three thousand
pounds of tobacco According to the Lawes Ord^s and reasonable
Customes made and used in this our province of Maryland in
wch Causes Civill soe to be tryed Wee doe Constitute Ordaine
and appoint you Samuel Withers Robert Burle Cap^t W^m Burges
and Thomas Taylor to be Judges as aforesd unless some
One of our Councell be then in Court and therefore wee
Comand you th^t you dilligently intend the keeping of the peace
Lawes and Ord^s and all and singuler other the p^rmisses and
at certaine dayes appointed according to Act of Assembly in
that case provided, and such places wch you or any four or
more of you as aforesd shall in that behalfe appoint yee make
Enquiries upon the p^rmisses and p^rforme & fullfill the same in
forme aforesd doeing therein that wch to Justice apperteyneth
according to the Lawes Ord^s and resonable Customes of this
our province, Sauing to vs the Amerciam^{ts} and other things
thereof to us belonging And therefore wee Comand the
Sherrife of the said County of Anne Arrundell by virtue of
these p^rsents that at the dayes and places aforesd wch you or
any such four or more of you as aforesd shall make knowne
to him to give his Attendance on you, And if need require to
cause to come before you or any such four or more of you as
aforesd such and soe many good and lawfull men of your
County by whome the truth in the p^rmisses may the better be

Liber H. H. knowne and enquired of, And lastly wee haue appointed Nathaniel Heathcoate Clarke and keeper of the Records and proceedings in this your said County Court, And therefore you shall cause to be brought before you at the sd dayes and place the writts precepts process and Indictments to yo^r Court & p. 248 Jurisdiccon belonging that the same may be inspected and by a due Course determined as aforesd Given at S^t Marys und^r our greate Seale of our sd province of Maryland the Sixth day of November in the foure and Thirtieth yeare of our Dominion over the said province & in the yeare of our Lord One thousand six hundred Sixty five, Witnes our deare Sonne and heire Charls Calvert Esq our Leiuten^t Generall of our said province of Maryland

P. R. O.
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126.

The King to the Gov^r of Maryland.

? Nov. 1665.

Trusty & wellb. Observing the great losses o^r subjects have sustained this last su^mer in their Voyages homewards from those parts by omitting to conforme themselves to such ord^{rs} as wee had given for their returne to o^r respective Govern^{rs} of those our Plantacōns, Wee have found fitt hereby to repeat those o^r Comm^{ds} willing & requiring you forthwith upon receipt hereof to take effectuall care that all such shipping as are designed homewards the next Spring be ready to sett saile in company wth the first wind after the first of Aprill & not before. And that in their returne they joine themselves in one entire Fleet wth those bound homewards from Virginia, whom wee have by o^r letters of this date to o^r Govern^r there order^d to make one Fleet wth you, and to returne in company, sailing from the place of their first Rendezvous w^{ch} is to be conceited & agreed on between you & our s^d Gov^r of Virginia directly for Fayall one of the Western Islands, where they shall find such convoy as shallbe thought necessary or otherwise advise how to governe themselves in the rest of their Voyage homewards and in case it happen by any accident that at their arrivall at Fayall they meet wth no such convoy or advice, then having expected these 8 days. They are to saile directly to the Soundings & from thence, if they meet not with other on further advice they shall make the first convenient port of this o^r Kingdome of England there to stay till they receive further ord^{rs}, and if any ships in their Company be bound for our Kingdome of Ireland they shall from the said Port of this o^r Kingdome receive sufficient convoys to the parts of Ireland whither they are bound. And in the due & punctuall execucōn of these o^r Ord^{rs} & comands you are yourselfe to use all pos-

sible care & diligence & to require in o^r name all Masters & Comand^{rs} of shippes & all others whom it may concerne to obey such rules & directions as you shall prescribe to them in the pursuance of this our pleasure endeavouring by the best means you can to compell such as shall be refractory & disobedient returning in the meantime their names hither to us, to the end Wee may take order for the proceeding against them as to such contempt & obstinacy shall belong and so etc:

Governour of Maryland.

[This is a draft with corrections in
Sec. Williamson's handwriting]

Richard Blunt Com^r Thomas Brooke John Dobbs Thomas Osborne Arther Wright Alexand^r Nash Edward Jones

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Liber H. H.
p. 230

Warr^t, issued to the Com^{rs} of Kent County to sweare the persons above into the Comission the 25th of January 1665

Feb: 23^d 1665

Ther Com^{con} issued to Mr Step: Horsey Cap^t w^m Thorne Geo: Johnson W^m Steuens John white John winder James Joanes and Henry Boston Comm^{rs} on the Easterne Shore

p. 230

Idem mutatis mutandis ut est in fo: 198 to the
s^d Step: Horsey and w^m Thorne time
limited for one twelue month from
the date ut Supra

Charles Calvert Esq^r Cap^t Gener^{ll} of all the fforces wthin this Province of Maryland vnd^r the Right hono^{ble} Cæcilius Absolute Lord & Proprietary of the same, To Cap^t Leivtenn^t Nicholas Young Greeting According to the power to me by his s^d Lo^p Comitted & vpon the Speciall trust & Confidence I have in your fidelety Circumspeccōn Courage & good Conduct I doe hereby Constitue Ordaine and appoint yo^w Cap^t Leiftenn^t vnd^r Coll William Evans of all the fforces betweene point looke out & the head of St Georges River & from thence to Poyunny hill Runn on the bay side inclusively, Them to Muster Exerzize & traine up in the Art of warr & discipline Military, & in all things to doe as any Cap^t Leiu^t of a Company of ffoot may or of Right ought to doe to the Resistance of all Enemy's suppression of all Mutinys Insolency's Insurreccōns & Rebellions whatsoever According to such Orders & direccōns as yo^w shall from time to time Receve from me or y^{or} sd Coll & to th^t End to List such & so many of the Inhab^{ts} wthin the p^cincts afores^d as you shall think fitt & th^m when & as often as you shall thinck Convenient to Muster & Traine soe th^t they may be in a readynesse

p. 231

Liber H. H. as Occasion shall require to Attend mine or yo^r Col^s Comands wth fitting Arms & Ammunicōn for the purpose afores^d To have and to hold the s^d Office and Comand till the Lord Prop^{ry} or his heires or his or their Leivtenn^t Cheife Gou^rno^r or Cap^t Geñ^{ll} for the time being shall signifie his or their pleasure to the Contrary, And all persons whatsoever are hereby Strictly Charged & required to yeild all due Obedience to yo^w the s^d Cap^t Leiv^t Young in all things appteyning to the Comand & office hereby conferred on yo^w as they will answe^r the Contrary at their pi^{ll} Given vnd^r my hand & Seale this 21th of March in the 34th yeare of his Lo^{ps} Dominion over this Province Annoq Domini 1665

- p. 252 Charles Calvert Esq^r Cap^t Genero^{ll} of all the fforces wth in this province of Maryland vnd^r the R^t Hon^{ble} Cecil^s Absolute Lord & Proprietary of the same To Leiv^{tt} William Smith Greeting according to the power to me by his s^d lō^p comitted & vpon the Speciall trust & confidence I have in yo^r fidelity Circumspeccōn Courage & good Conduct I doe hereby Constitute Ordaine and appoint you Leiv^t vnder Colonell W^m Evans of all the forces betweene poynt Looke out & the head of S^t Georges River & from thence to Poyney hill runn on the bay side inclusively Them to Muster Exercise & traine vp in the Art of warr & discipline Military & in all things to doe as
- p. 253 any Leivtenn^t of a Company of ffoot may or of Right ought to doe to the Resistance of all Enemyes Suppression of all mutinyes Insolencyes Insurreccōns and Rebellions whatsoever according to such Orders and direccōns as you shall from tyme to tyme receive from me or yo^r said Colonell & to th^t End to list such and soe many of the Inhabitants within the Precincts afores^d as you shall thinke fitt & them when & as often as you shall thinke Convenient to Muster & Traine so that they may be in a Redynes as Occasion shall Require to Attend myne & your Colon^{lls} Comands with fitting Armes and Ammunicōn for the purpose afores^d To have & to hold the s^d Office & Comand till the Lord Proprietary or his heires or his or their Leivtenn^t cheife Governo^r or Cap^t Generall for the tyme being shall signify his or their pleasure to the Contrary And all persons whatsoever are hereby strictly Charged & required to Yeild all due Obedience to yo^w the said Leiv^t Smith in all things apperteyning to the Comand & Office hereby Conferred on yo^w as they will answe^r the Contrary at their pi^{ll} Given vnder my hand & Seale This 24th day of March in the 34th yeare of his lō^{ps} Dominion ouer this Province An^{oq} Dom 1665

Att a County Court held third tweusday
in March 1665

Liber H. II.

| | | | | | | |
|---------|---|-------------------------------|---|-----------------------|---|------|
| Present | } | Baker Brooke Esq ^r | { | George Peake | } | gent |
| | | Thomas Mannyng | | Tho. Letchworth | | |
| | | Hugh Stanley | | W ^m Groome | | |
| | | | | Richard Collett | | |

The Court have Ordered that M^r Thomas Cap^t Mannyng
& M^r Hugh Stanley be returned for Sherriffs

True Coppy John Turvile Clarke

Att a Court held for Ann Arrundell
County March the 13th 1665

p. 254

| | | | | | | | |
|---------|---|--|---|-------------------------------|---|-------------------|-------------------------|
| Present | { | Edw ^d LLoyd Esq ^r Counc ^{ll} ^r | { | Cap ^t Tho Besson | } | Com ^{rs} | |
| | | m ^r Sam. Withers | | m ^r Geo Puddington | | | |
| | | m ^r Robert Burle | | | | | m ^r Sam Chew |
| | | m ^r Thom. Taylor | | | | | |
| | | Cap ^t W ^m Burges | | | | | |

This day the Court, tooke into consideracōn the Eleccōn of
a sherriffe for this County the next yeare & hath nominated
M^r Robert Burle M^r Anthony Sallaway and Cap^t Thomas
Stockett and hath Ordered their names to be sent to the Gov-
erno^r and Councell according as itt is in that Case Provided, to
Elect one of them for sherriffe the yeare Ensueing

Vera Copia

Teste me Nath^l Heathcoate Clk

Att a Court held in Charles County the
13th of March A^o 1665

| | | |
|-------------------------------|---|--|
| M ^r Thomas Mathews | { | Prest m ^r James Lendsey |
| m ^r Zachary Wade | | Com ^{rs} m ^r Joseph Harrison |

According to an Act of Assembly Provided for the Electing
of Sherriffes the aforesaid Comission^{rs} have Nominated M^r
Thomas Mathews, M^r Walter Beane, and m^r Joseph Harrison,
for the Leivtennant Generall of the Province of Maryland to
Elect one to Serve in Sherriffes in Charles County in the yeare
of our Lord one Thousand six hundred sixty and six As J
Testifye

George Thompson Clke

Liber H. H.
p. 255

Att a Court held att Newtowne
for the County of S^t Maryes the
first Twesday in March 1665
66

Present, m^r Robert Slye m^r Thomas Dent m^r John Nutthall
Cap^t Luke Gardener m^r William Bretton, m^r Nicholas Young
Leivtenn^t Collonell John Jarboe, m^r Randolph Hanson m^r
William Rosewell Com^{rs}

In Reference to an Act of Assembly Entituled an act for
appoynting of Sherriffs the Court doth present Cap^t Luke
Gardner m^r Nicholas Young, and M^r Randolph Hanson, vnto
the Right Hono^{ble} the Lord Leivtennant to nominate and
appoynt one of theis Three to serve as sherriffe in this County
of S^t Mary's this next Ensueing yeare

Vera Copia Walter Hall Clr

Cæcilius &c Know yee th^t wee reposing Speciall Confi-
dence & trust in yo^w Nicholas Young gent & for that the
County Co^r of S^t Mary's have presented you amongst Three
to serve as a sherriffe for the s^d County for this Ensueing yeare
have Constituted ordayned & appoynted & doe by theis pnts,
Constitute Ordaine and appoynt you sherriffe of the s^d County
and to haue such Priviledges and benefitts as any other sherriffe
within this our Province of Maryland now hath or any other
sherriffe of your said County ever have had held or Enjoyed
p. 256 Or of Right ought to have had held or Enjoyed To have & to
hold the said Office or Employment for one whole yeare to be
Computed from the first day of May next Ensueing and after
till another sherriffe by your said County Court to be presented
shall be lawfully by Pattent Constituted Provided that he the
said Nicholas Young doe in Open Court in his said County
take the Oath of Sherriffe herevnto Annexed & giue Security
for the well discharging of his Office and trust according to
the act of Assembly in that Case Provided Given att S^t Maryes
vnder our Lesser Seale of our said Province of Maryland the
twentyeth day of Aprill in the foure and thirtyeth yeare of our
Dominion over our said Province of Maryland Annoq Domini
1666 Witnes our Dear Sonn and heire Charles Calvert Esq^r
o^r Leivtenn^t Generall of our said Province of Maryland.

Theis are to Will and require you that by the twentyeth day
of July next you cause a list to be taken of all the Tithables
withⁱⁿ your County and that in the said List the name and Sur-
name of each Tithable pson and the house of his abode be
distinctly sett Downe and a Coppy thereof faire written and

sent Immediately downe to the Governour and Councell and another Coppy of the said list sett vp in the Court howse at the next County Court to remayne there for the whole yeare To the End that if any Errors be therein they may be Corrected and the same Certifyed to the Governo^r and Councell before the first day of September next herein sayle not as you will answere the Contrary And for soe doing this shall be your Warrant Given vnder my hand this twentyeth day of Aprill 1666

Liber H. II,
P. 257

To Nicholas Young
High sherriffe of
S^t Mary's County

You shall well and truely serve the Lord Proprietary in the Office of a sherriffe of the County of S^t Mary's and doe his lo^{ps} Profit in all things that belongs vnto you by way of Office as farr forth as you can or may You shall truely and Rightfully treate the People of your sherriffewick and doe Right as well to the Poore as to the Rich in all that belongs vnto your Office You shall doe noe wrong to any man for any Guilt ffavour hate or other Affecon you shall duely Execute soe farr as you may all such writts and warrants as shall be to you directed by lawfull authority And thereof you shall make a true Returne According to the Tenour of the Writt

p. 253

Soe help you God

Comms exert To Major Thomas Brooke to be sherriffe of Calvert County

Idm Mutatis Mutandis To Thomas Mathews to be sherriffe of Charles County

Idm Mutatis Mutandis to Cap^t Thomas Stockett sherriff of An Arrundell County

Aprill 20th Idem Mutatis Mutandis to Nicholas Pickard sherriff of Kent County

Idm Mutatis Mutandis to Thomas Hynson Jun^r sherriff of Talbott County

Att a Councell held att S^t Iohns
The 17th May 1666

| | | |
|--|---|---|
| Charles Caluert Esq ^r Gouverno ^r | } | Jerome White Esq ^r Councello ^r |
| Philip Caluert Esq ^r Chancello ^r | | |
| Richard Boughton Esq ^r Secretary | | |

Was then Read his Lordps New Comm^{con} to the
Leiutenn^t Generall dated in the month of February last,

Liber H. H.

att which time was allsoe administred the Oath of a Gouverno^r to the said Charles Caluert Esq^r, wth the Oath of the Cheife Justice, and a Councello^r in Prouinciall Court

P. R. O.
Colonial
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Copy of L^d Baltimore's Commission to his Dep^{ties}Feb^{ry} 16th 1665/6.

Cæcilius absolute Lord & Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore etc To all to whom these presents shall come greeting Know yee that Wee in Consideration of the Naturall Love & affection which wee have unto, & of the Singular Duty and faithfull Service to us by our most dear and wellbeloved Sonn Charles Calvert Esq^{re} heretofore done & performed & hereafter to be done and for the speciall trust and confidence wth wee have In the great prudence care conduct & fidelity of our said deare sonn Have given & granted And wee doe by these presents give and grant unto our said dear Sonn the Office of Lieuten^t Generall Chiefe Captaine Chiefe Governour & Comānd^r and Chiefe admirall both by sea and land of our Province of Maryland in the parts of America and of all our Islands, Teritoryes, & Dominions whatsoever, in any the parts of America thereunto belonging and of all and singular our Castles, ffortresses, ffortifications, munitions, ships and Navyes in our said Province, Islands, Territoryes & Dominions there aforesaid and allsoe the Custody and Chiefe Govern^{mt} and Comānd of our said Province, Islands, Territoryes & Dominions aforesaid and of all and Singular the Castles, fforts, ffortresses, ffortifications, munitions ships & Navyes wthin our said Province, Islands Territoryes & Dominions aforesaid being and remaining or to be & remaine and to us in any wayes belonging or apportayning and him the said Charles Calvert wee doe make ordayne & Constitute Lieutenant Generall Chiefe Captain & Chiefe admirall both by sea & Land Chief Govern^r and Comānder of our said Province Islands, Territoryes and Dominions and of all the Castles, fforts, Navyes, Shippes places & things aforesaid by these presents to have hold occupy enjoy and exercise the said office of Lieutenant Generall Chiefe Captain & Chiefe Admirall, Chiefe Governor & Chiefe Commander aforesaid wth the appurtenantes unto our said deare Sonn Charles Calvert by himselfe or by his sufficient Deputy or Deputyes by him in his absence to be appoynted during our pleasure. And wee doe likewise for the Considerations aforesaid give & grant unto our said deare Sonn full power and authority during the time of his exercise of the said office before mentioned by himself and his Captaines & Officers by him to be appoynted to Leavy, muster & traine

all sorts of men of what condition or wheresoever borne in our said Province & Dominions for the time being remaining and in case of insurrection, assaults or approaching of any enemy or enemyes, Pyrate or Pyrates or other Robbers to make Warr and to pursue such Enemy or Enemyes, Pyrates or Robbers as well by sea as Land and to vanquish & take them and being soe taken to put them to death by the Law of Warr or to save them at his pleasure And to use all & everything which unto the Charge & Office of a Captain Generall of an Army or admirall of a fleete belongeth and likewise in case of any Rebellion, Tumult or Sedition either upon the Land within our said Province & Dominions or upon the seas to exercise Martiall Lawes ag^t all Rebellious, mutinous & seditious persons of these parts who shall refuse to submitt themselves to our Government, or to serve in the warrs or shall fly to the enemy or forsake their Ensignes or be Loyterers or straglers or otherwise howsoever offending ag^t the Law Custome or Discipline Millitary as freely and in as ample, manner & forme as any Captaine Generall of an army or admirall of a navy by virtue of his office might or hath accustomed to use the same And further wee doe give and grant unto our said deare Sonn full power & authority during the time of his exercise of the said office before mentioned for us & in our names as often as he shall think fitting from time to time to pardon, remitt or release either before Judge^{mt} or after all & all manner of criminall offences ag^t the Lawes of our said Province and Dominions or any of them, and alsoe all and all manner of paines, penalties and forfeitures incurred or to be incurred by any person or persons bodyes Pollitique or Corporate wthin our said Province or Dominions or any of them for or by reason of any Crime or Crimes, offence or offences comitted or to be comitted ag^t any, the Lawes, Ordinances or orders of our said Province heretofore made or hereafter to be made whatsoever or however as fully and amply to all Intents, Considerations & purposes as wee ourselves might doe if wee were then and there personally present to doe the same and allsoe for us and in oure name and as often as he shall find itt necessary from time to time to call, assemble and sumon any severall Assembly or General Assemblies of the freemen of our said Province or of their Deputyes or Delegates for the giving of the advise, assent & approbation of the freemen of our said Province to such Lawes and acts as shall be by & att any time ordayned made and enacted & under our seale published, & under which the advise, assent & approbation of the freemen of our said Province shall be att any time requisite & necessary, and the said Generall Assembly & Assemblies soe from time to time called assembled & sumoned or to be called,

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assembled, or summoned from time to time when & as often as he shall judge it necessary in our name to prorogue or otherwise dissolve att his pleasure and likewise for us and in our name & in our absence from our said Province to ordayne, make and enact by & with the advise, assent and approbation of any such assembly or assemblies soe called assembled or summoned as aforesaid to be of force untill wee ourselves or our heires or assignes Lords and Proprietaries of the said Province shall declare & puplish or cause to be declared & published within our said Province, his theire or some of their particular dissent or dissents, disagreeem^t or disagreeem^{ts} to the same under our his theire or some of their seale or seales soe as the said Lawes & acts soe to be ordayned made & enacted be consonant to reason and be not repugnant or contrary but as neare as conveniently may be agreeable to the Lawes Statutes & Customes of the Kingdome of England and soe as the same be noe wayes repugnant unto or destructive of our Rights, priviledges or Jurisdictions or to the Disinherison of us our heires or assignes Lords & Proprietaries of the said Province or contrary to our or their power Governem^t or Dominion or contradictory to a certaine act of assembly heretofore made in the nineteenth year of our Dominion Annoque Dni 1650: entituled an act concerning Religion And likewise wee doe further give & grant unto our said deare Sonn during the time of his exercise of the said office aforesaid full power & authority from time to time to make constitute, ordayne or publish in our name such wholsome, reasonable & profitable ordinances, Edicts & Proclamations wthin our said Province for the better Governing of the People there inhabiting & wth such reasonable paines & penalties to be therein expressed as wee ourselfe might lawfully doe if wee were then & there personally present And allsoe full power & authority to direct & apoynt for us & in our name to pass under our greate seale of our said Province such Grant & Grants of such proportion & proportions of Lands within our said Province to such person or persons & for such Estate & Estates & with such priviledges & Imunities and under such Conditions as wee have directed or shall from time to time hereafter direct by any Warrant or Warrants under our hand & seale att armes, soe as the said Warrant or Warrants be duly entred and Registered and the sayd Lands duly surveyed & the Surveyors thereof returned and all & every the necessary rules & orders & circumstances heretofore by us given & apoynted in relation to the Surveying such Lands & to the Entering, Registering and attesting the Surveyors thereof and all necessary circumstances touching such Grants, Surveyes & Warrants heretofore by us given or apoynted be first duly observed & performed. Willing and by

these presents requireing our said deare Sonn to advise as there shall bee occasion with those who are or shall be of our Councill there for the time being upon all emergent occasions touching, concerning or relating unto the goode Governm^t of our said Province and the people there And wee doe hereby Revoake adnull and make voyde all former Commissions heretofore att any time given unto our said deare Sonn or any other in relation to all or any the Offices, powers or Authorityes hereby granted and all & every power & powers, authority and authorityes, thing & thinges in them every or any of them given, granted, mentioned or contained hereby declareing the same to be revoaked, adnulld & made voyde to all Intents & Purposes immediately from and after the publishing these presents within our said Province Given under our hand and seale att armes this sixteenth day of February In the foure and thirtieth yeare of our Dominion over oure sayd Province.

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Annoq Dom: 1665.

True Copy written & examined by mee
Robert Ridgley Clerke of the Councill

Then the Chancello^r was allsoe sworne According to the forme of the Oath of Chancello^r sent in by his lordsp^e the Oath of Councello^r & one of the Judges in Prouinciall Court

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After which Richard Boughton Esq^r his Lordsp^s principle Secretary was allsoe sworne as Secretary according to the forme of an Oath now sent in by his Lordsp^e to that purpose

And allsoe was taken by him the Oath of a Councello^r and One of the Judges in Prouinciall Court

The Leiutenn^t Generall then desired the Opinion of the rest of the Councell, wether it would not be requisite and Conuenient, that Proclamacōn doe issue, That noe powder now brought in by Cap^t Thomas Harwood (being 50 barrills) be by any person (that shall buy any part or parcell thereof) transported or Carried out of the prouince upon paine of imprisonm^t Which was by the whole Councell thought ffit and requisite, Whereupon Ordered theire Oponion be soe Entred

May the 23th 1666

Issued then a Commission to W^m Evans Esq for Must^r Mast^r Gen^l put in fo: 209 in this Booke Dat. ut. Supra

Commission Issued to George Vtye to be High sherriffe of Baltemore County put in fo. 255 Idem Mutatis Mutandis Dated this 28th of May 1666

p. 260

Liber H. H.
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Att a Councell held at S^t Marys on the 12th
day of June Ann^o 1666

Charles Caluert Esq^r Leiutenn^t Generall

Philip Caluert Esq^r Chancello^r

Richard Boughton Esq^r Secretary

Jerome white

Baker Brooke

Coll: w^m Euans

Tho: Truman

} Esq^{rs} Councello^{rs}

Was then taken into Consideracōn Certaine dayes to be
appointed for the houlden the Prouinciall Court

Wherefore Ordered the ensueing Proclamacōn be
published for the houlding the Said Courts which
Proclamacōn is entred in folio. 265

Further Ordered that the Prouinciall Court &
County Court of s^t Marys County be held together
att s^t Marys 5 times in the yeare for the future and
not else where (uizt)

p. 265 The first Court to be held at s^t Marys on the third tuesday
in the month of October, the second Court to be held on the
second tuesday in the month of Decemb^r the third Court to be
held on the second tuesday in the month of ffebruary the 4th
Court to be held on the second tuesday in the month of Aprill,
the 5th Court to be held on the first tuesday in the month of
June for Orphants and soe in euey yeare to be kept at the
place and Respectiue dayes aforesaid

Proclamacōn

By the Leiutenn^t Generall and Councell
the 12th day of June An^o 1666

It is this day Ordered by the Leiutenn^t Generall and Coun-
cell, That the Prouin^{all} Court and County Court of S^t Marys
County be held together at S^t Marys 5 times in the yeare for
the future and not else where, (uizt) The first Court to be held
at S^t Marys on the 3 tuesday in the month of Octob^r the
second Co^{rt} to be held on the second tuesday in the month of
December, the third Court to be held on the second tuesday
in the month of february, the 4th Court to be held on the second
tuesday in the month of Aprill the 5th Court to be held on the
the first tuesday in the month of June for Orphants and so in
euey yeare to be kept at the place and Respectiue dayes
aforesaid

And it is further Ordered that Publicacōn hereof be made
att the Prouin^{all} Court holden this day at S^t Marys in Open
Court That the Sherriffe of the said County and all Justices of

the peace and Comm^{rs} of the said County and all others whome Liber H. H.
it may Concerne may take notice hereof, And as they or any
of them haue Occasion may take out processe out of the Sec-
retarys Office Returnable at the said Courts aforesaid

Further Ordred that the Lord Prop^r be humbly desired by p. 266
the Counceli to allow out of the Casuall fines that shall happen
to his Lordp in the Prouin^{all} Court p diem to the Justices for
their wages & expences in attending the publicque affaires of
the prouince.

And the Justices now p^rsent doe make it theire humble
request to the Leiutenn^t Generall to represent theire desires
herein to his Lordp at his next Conueniency.

Also Ordred that the Justices of the Prouinciall Court doe
giue theire attendance here at the dayes appointed for the
keeping of the said Courts, and for default of attendance shall
be lyable to a fine of fourty shillings unless the Councell shall
allow of theire Excuse for theire absence

And the Clk of this Councell Is hereby ordered to cause a
Coppy of this Ord^r to be sent or deliuered to the Seuerall
Justices of the said Court

And that euery Justice of this Prouin^{all} Court doe appeare
in Court at the dayes appointed for theire Setting in Court wth
his ribon and meddle upon paine of a Noble for euery default
to the Lord Prop^r

lastly Ordred that the Secretary doe forthwith issue out warr^{ts}
to each respectiue sherriffe for the taking the names of Such
persons within theire Balywick who goes und^r the Notion of
Quakers and to make returne in a list of theire names and
sirnames at the next Prouin^{all} Court

June the 16th 1666

Com^{con} then renewed and granted to Collonell Lewis Stockett
mutatis mutandis In fo: 205 to the said Stockett

p. 274

[Commission to treat about a cessation of planting
tobacco.]

p. 269

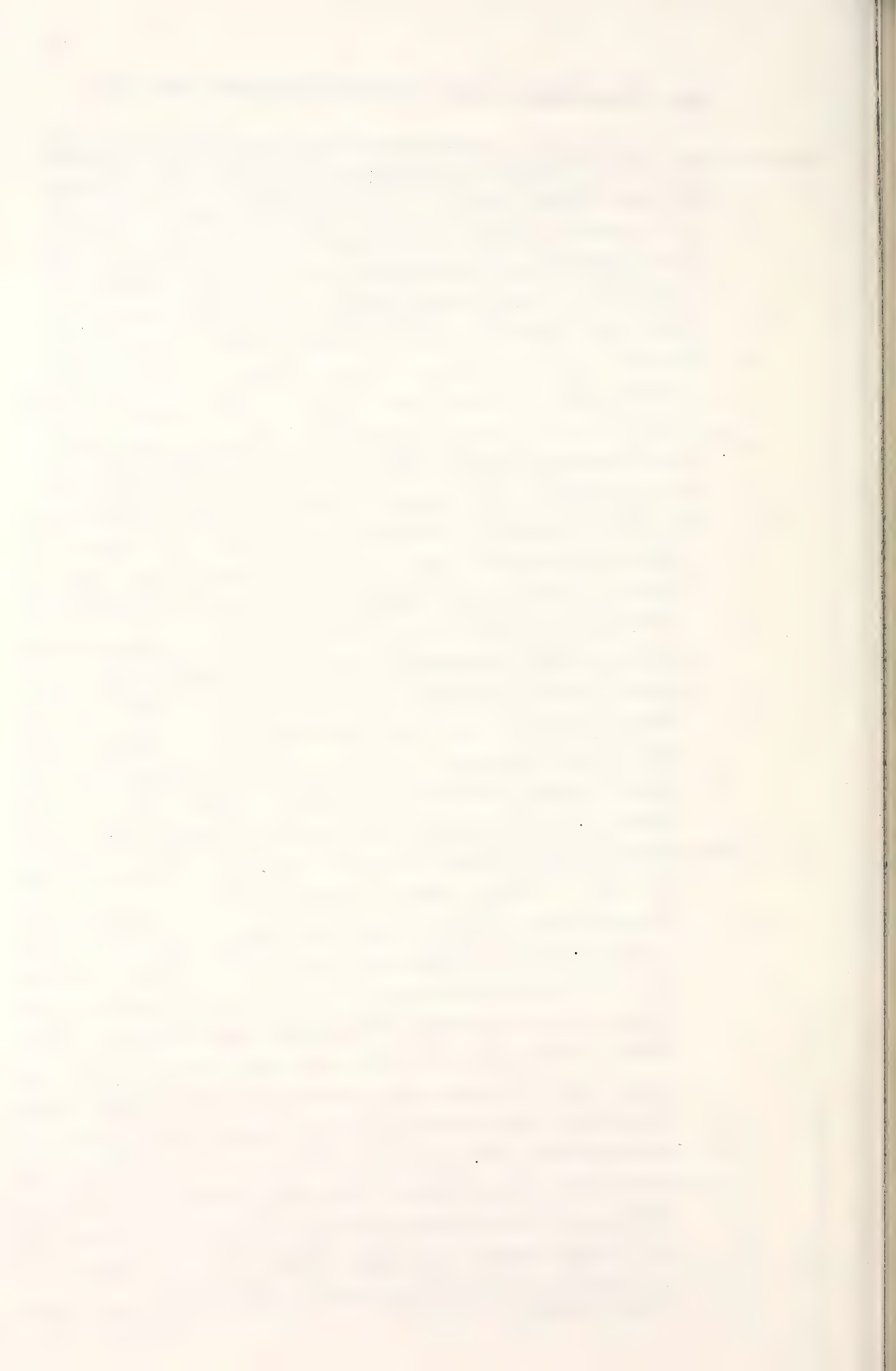
Charles Calvert Esq^r Leivtenn^t Generall & cheife Governor
of the Province of Maryland To Philip Calvert Esq^r Henry
Coursey Esq^r Nathaniell Vty Thomas Nottley Robert Sly &
Major Thomas Brooke Esq^r Greeting Whereas att an Assembly
of the ffreemen of this Province and their Deligates held at S^t
Maries the Tenth Day of Aprill one Thousand six hundred
sixty & six There passed an act entituled an act for En-
couragem^t of Trade, wherein it is enacted that from and after
the first day of ffebruary which shall be in this Present yeare
one Thousand six hundred sixty & six till the first of ffebruary

Liber H. H. one thousand six hundred sixty Seaven noe tobacco shall be sowed Sett planted or any waies in this Province of Maryland Provided th^t the Hon^{ble} Sr William Berkley & the assembly in Virginia & William Drummond Esq^r Governor of Carolina & the Assembly there doe make the like act in their seu'all & Respectiue assembly's prohibiting the Sowing Setting planting or any wayes tending any Tobacco in the s^d yeare within their seu'all and Respectiue Jurisdiccōns And further whereas itt is Provided by the s^d act That you the s^d Philip Calvert Henry Coursey Nathaniell Vtye Thomas Nottley Robert Slye & Thomas Brooke or any three of you be sent Com^{rs} from mee

p. 261 with full power to treate & conclude vpon a Totall Cessacōn from Sowing setting planting or any waies tending any tobacco in & during the s^d yeare with the said Sr William Berkley & the said William Drummond or Com^{rs} from them & their Respective Assembly's to be Impowered to the like End intent & purpose Obliging all psons whatsoever within this Province to Observe whatsoever you the said Philip Calvert Henry Coursey Nathaniell Vtye Thomas Nottley Robert Slye & Thomas Brooke or any Three or more of you shall agree vpon wth the s^d Sr W^m Berkeley & W^m Drummond Esq^r or the Com^{rs} by them & their assembly's to be Impowered as aforesayd tending only to the Effectuall execucōn of th^t act as by the s^d act relacōn being therevnto had more att large appeareth Now know ye th^t I as well for the Confidence I have in you the said Philip Calvert Henry Coursey Nathaniell Vtye Robert Sly Thomas Nottley & Thomas Brooke as for th^t you were nomited Com^{rs} by the assembly aforesayd Have Constituted ordeyned & Impowered & doe by theis presents Constitute appoint ordeine & Impower you the s^d Philip Calvert Henry Coursey Nathaniell Vtye Thomas Nottley Robert Slye & Thomas Brooke or any Three or more of you Com^{rs} to treate with the s^d Sr W^m Berkley & w^m Drummond or Com^{rs} from them & their Respetive assemblies as aforesaid & vpon the s^d treaty to agree & conclude vpon a Totall Cessacōn from Sowing Setting planting or any waies tending any tobacco wthin the three Collonies afores^d from the first of ffebruary one Thousand six hundred sixty six till the first of ffebruary one thousand six hundred sixty Seaven wherefore I doe request th^t the s^d Com^{rs} or any three of them be Credited & beleived in all things which they shall doe in &

p. 262 concerning the premisses promising to ratify Confirme and approve what soeu^r shall be done by them according to this my Comission, & according to the true intent Purport & meaning of the act afores^d Given att s^t Maries vnder the Lesser Seale of this Province the 26th Day of June in the 35th yeare of his Lō^{ps} Dominion ou^r this Province A^oq Dñi 1666

Charles Calvert



[Peace with Susquehannoughs.]

Liber H. II.

Att a Councell held at s^t Iohns on the
29th day of June An^o 1666

Charles Caluert Esq^r Leiutenn^t Genrall & Cheife Gouverno^r
Philip Caluert Esq^r Deputy Gouverno^r & Chancello^r
Richard Boughton Esq^r Principle Secretary
Henry Coursey Esq^r Councello^r

Came Wastahunda Hariguera & Gosweingwerackqua the warre Captaines of the Sasquesahanoughs and desired the Continuance of their league wth the Rig^t Hon^{ble} the Lord Prop^r and protesting that they were allwayes ready to haue deliuered Wanahedana up to the Justice of his Lordp^r for murdering the men at the mill in Baltemore County and desiring that the Villany of One man may not be imputed to the whole Nation and requesting the Assistance of the Gouverno^r now at this time having lost a Considerable number of men in ranging the head of Patapsco and the other riuers so to secure the English Plantacōns from the Cinigoes and remonstrating that the Cinagoes are resoluēd to Storme the Sasquesahanough fort in August next and that afterwards the said Cinagoes intend to fall upon the English in this Prouince

Whereupon was begun a further treaty of peace wth the s^d Sasquesahanoughs in which was Concluded as followeth

Articles of Peace and Amity concluded upon by the p. 263
Hon^{ble} Charles Caluert Esq^r Gouverno^r of the Prouince of Maryland on the behalfe of the Rig^t Hon^{ble} the Lord Proprietary of the said Prouince of the One Party And Wastahunda Hariguera & Gosweing-Verackqua warre Captaines of the Sasquesahanoughs Nation this 29th day June 1666 of the Other Party

Imprimis That the Sasquesahanoughs Indians shall deliuer Wanahodana that Kill'd the English man at the mill if euer he returne out of Captiuitie from the Cinagoes, And for the future that they Shall apprehend secure and deliuer up to the Gouverno^r of this Prouince for the time being any Indian whatsoever that Shall kill any English man And that as soon as they shall come to know of it, And be it wthin their power to apprehend, And that without demand made by the English
2^{dly} That euery Indian that shall hereafter kill any hoggs or Cattle of the English and shall thereof bee Conuict shall pay for euery hogg fifty fathom of Peake and for euery head of any other sort of Cattle One hundred fathom of Peake for satisfaccōn to the Owners of euery such beast

Liber H. H. 3^{dly} That all former Crimes Committed by any Indian of that nation shall be forgott & buried in Obluion except Murder of any English not yet discoverd

p. 264 4^{thly} That the King of Potomack his two Sonns be by some of the Sasquesahanough Indians deliuered up Prisnors to Major Samuell Goldsmyth wth all Conuenient Speed, In wittnes whereof the Said Wastahanda Hariquera and Gosweinguerackqua haue sett to their hands this 29th day of June An^o 1666

The marke of
Wastahanda- [Terrapin] Hariguera
marke of
Gosweinquerack [Fox] qua

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Articles of Agreement concerning the Cessation
in Virginia and Maryland and Albemarle
at Iames Citty 12th Iuly 1666.

Articles agreed, and concluded upon at Iames Citty the 12th of Iuly 1666 Between the Hono^{ble} Thomas Ludwell Esq^{re} secretary of Virginia Maj^r Genn^{ll} Ro^{bt} Smith Maj^r Genn^{ll} Richard Bennett, Capt Daniell Parke, Cap^t Ioseph Bridger Capt Peter Jennings and M^r Thomas Ballard Gent: Commissio^{rs} from the Right Hono^{ble} Sr W^m Berkeley Knt and the Assembly of Virginia and the Hono^{ble} Philip Calvert Esq^{re} Henry Coursy Esq^{re} Nathaniell Uty, and Ro^{bt} Sley Esq Commissio^{rs} from the Hono^{ble} Charles Calvert Esq^{re} Governo^r of Maryland and the Assembly their sufficiently by the Lawes and Comicon^s of the Gov^{es} and Colonies impowered and the Hono^{ble} William Drummond Governo^r of Albemarle County in the Province of Carolina, and Tho: Woodward surveyor Genn^{ll} of the said Albemarle County Commissio^{rs} by the deputie Gen^l Court, and Committie of the said County being the Legislative power of the said County for the time being sufficiently impowered to treat, and conclude upon a Totall Cessation from sowing, setting, planting or any waies tending any tobacco in any the three Colonies abovesaid, or any parte of them in the yeare 1667.

Whereas there passed an Act entituled an act for the Encouragement of Trade at an Assembly held at Maryland the 10th of Aprill 1666 wherein It is enacted that from and after the first day of February which shall be in the present yeare 1666 untill the first of February which shall bee in the yeare of Our Lord 1667 Noe Tobacco shall be sowed, sett, planted, or any waies tended in the said Province of Maryland, Provided that the Hono^{ble} Sr W^m Berkeley Knt and the assembly of Virginia and William Drummond Esq^{re} Gou^r of Carolina, and the Assembly there doe make the like act in their severall Assemblies Prohibiting the sowing, setting, planting, or any waies tending any Tobacco in the said yeare within

their severall and respective jurisdiccōns, and whereas the said Hon^{ble} Sr W^m Berkeley Knight and the said Assembly of Virginia did at an Assembly held at James Citty the 5th of June last past in concurance with the said act of Maryland make a Law with the same Restrictiōns and Prohibitiōns of planting, setting, sowing, or any waies tending any Tobacco within this Colony of Virginia with the same provisions and Limitatiōns as are conteyned in the said act of Maryland.

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And whereas the said W^m Drummond and Thomas Woodward Gou^r and Commissio^r for the said Albemarle County have promised and undertaken to procure an Act in their Councell and Committee prohibiting the sowing, setting, planting or any waies tending any Tobacco in the said County of Albemarle from the first of February which shall bee in the year 1666 till the first of February which shall bee in the year 1667 and the same Law so made one or more authentique Coppies. thereof cause to bee delivered to the Right Hon^{ble} the Gou^r of Virginia and the Hon^{ble} Govern^r of Maryland at or before the Last day of September next ensueing the date hereof.

And whereas the said act of Virginia and Maryland and the said Ord^r of the Courts and Committie of Albemarle County signed by the deputie Gou^r Councill Speaker and Committie thereof Have amonngst other matt^{rs} and things nominated, constituted, impowered and appoynted us the subscribed to bee Commissioners to treat, and concluded upon a Totall Cessation as aforesaid in the places and yeare aforesaid and to treat and conclude upon the most Effectuall meanes of putting the said acts into Effectuall Execution obleidgeing themselves and the publique Faith of their respective Collonies to ratifie, and confirme whatsoever shall bee treated, and concluded on by and between the said Commissio^r in manner and to the intents aforesaid in obedience to and for the better execution of the said act. It is therefore by us the said Com^{rs} of the said Respective Collonies concluded and agreed.

First That the said Lawes for a Totall Cessation from planting, setting, sowing, or any waies tending Tobacco in any, or any part of all or either of the said Collonies of Virginia and Maryland bee effectually putt in Execution in Virginia and Maryland, Provided that the said Gou^r Councell, and Committie of Albemarle County doe make a Law there prohibiting the sowing, setting, planting, or any waies tending any Tobacco in the said County from the first of February which shall be in the year 1666 till the first of February 1667 in like manner as is already donne in Virginia and Maryland and the same act soe as aforesaid to bee made shall transmitt to the Gou^r of Virginia and Maryland or authentique Coppies

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there of at, or before the last day of September next Ensueing the date hereof.

Secondly For the better and more effectuall Execution of the said Lawes in the Severall Colonies aforesaid It is concluded and agreed by and between us the said Com^{rs} that the Severall and respective Gou^r Councillor and Justices of the Peace and all other Publique Offices within the said Collonies of Virginia, Maryland and Albemarle County in Carolina doo take a Solemn oath upon the Evangelists to use their Best and utmost Endeavour fully and Effectually to see the said Lawes executed according to the true intent and meaning of the said Lawes and these articles without any partialitie, or evasion and the said Oathes to bee taken before such persons as shall bee appoynted by the respective Collonies if they shall think fitt. to appoynt any such

Thirdly For the mutuall and better securitie of each respective Province from any damage or Inconvenience that may arrive or happen to them by the breach of the said act in their neighbour Collonies, It is agreed and concluded by and between us the Commissioners aforesaid that there shall bee free Leave and full power Left to all and Everie of the said Colony to appoynt and impower such persons as they shall think fitt to goe into any parte of their Neighbour Collonies there to see wether the said Act bee broken or not, and if they find them broken then upon complaint made by the said persons soe impowered to the Gou^r of the Colony soe offending against the Intent and meaning of the said Act, the said Gou^r and other Magistrates of the said Colony offending as aforesaid shall bee obliged forthwith to imploy their respective authoritative and utmost power for the Effectuall punishment of such offenders by cutting up their Tobacco either sowed, planted, sett or tended as aforesaid.

That these above mencōned articles are our mutuall agreemts according to the power given us as aforesaid Wee the said Com^{rs} have hereunto sett our hands and seales the day and yeare and in the place first above mentioned

| | |
|-----------------------|------------------------|
| Will Drumond (seale) | Philip Calvert (seale) |
| Tho: Woodward (seale) | Henry Coursey (seale) |
| | Nath Uty (seale) |
| | Robt Slye (seale) |

Tho: Ludwell Jun^r

| | | |
|---|----------------|---------|
| Thomas Ludwell Jun ^r (seale) | Ioseph Bridger | (seale) |
| Robert Smith (seale) | Peter Jennings | (seale) |
| Richard Bennett (seale) | Thomas Ballard | (seale) |
| Daniell Parke (seale) | | |

Copia vera Teste

Tho Ludwell Jun^r

By the Leutennt^t Generall & Cheife Justice
of the Prouince of Maryland the 27th day of
July Ann^o Domini 1666

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I doe hereby apoint Robert Slye John Lawson William
Bretton Thomas Dent & william Boreman gen^t to be
^{locus}
^{Sigilli} Justices of the peace in and for the County of S^t Maries And
Charles Caluert to doe & execute all such things as are belong-
ing to any Justice of the peace wthin this prouince,
The said persons first taking the Oath of fidelity to the Rig^t
Hon^{ble} Cæcilius Lord Proprietary of this prouince and the Oath
of a Justice of the peace, Which Oaths I doe apoint the said
w^m Bretton to Administer to the said Robert Slye John Lawson
Thomas Dent & william Boreman and after they haue taken
the said Oaths then they or either of them to Administer the
like Oaths to the said w^m Bretton for which this Shall be a
Sufficient Warrant to them and euery of them, Giuen und^r my
hand and seale the day and yeare first aboue written

The Oath of a Justice of peace

I doe sweare that I will well and truly execute the Office of
a Justice of the peace wthin the County of S^t Marys according
to my best skill and knowledge so help me God

August the 22th 1666 and in the
35th yeare of his lordps Dominion

Commission then issued and Granted to Cap^t Will^m Thorne
to be Cap^t (under Charles Caluert Esq^r Cap^t Generall) of all
the forces: on the Easterne Shore of this prouince from Wicco-
comoco that Joynes uppon Mannij to the north point of Poca-
moke on the said Easterne Shore

Mutatis mutandis ut est in fo: 23
To Cap^t william Euans

[Erection of Somerset County.]

Cæcilius Absolute lord & Prop^{ty} of the pvinces of Maryland p. 268
& Avalon Lord Baron of Baltemore &c To Stephen Horsey,
W^m Stevens, W^m Thorne, James Jones John Winder Henry
Boston George Johnson & John White gent. Greet^s know ye
that wee for the ease & benifitt of the people of this o^r pvince
& for the Speedy & more exact Adm^{ncon} of Justice have erected
& doe by theis pnts erect all th^t Tract of land wthin this our
province of Maryland bounded on the South with a line drawne

Liber H. II. from Wattkins point (being the North point of th^e bay into w^{ch} the River Wighco form^{ly} called Wighcocomoco afterwards Pocomoke & now Wighcocomoco againe doth fall exclusively) to the Ocean on the East. Nantecoke river on the North & the Sound of Chesapeake bay on the West into a County by the name of Sommersett County in hono^r to our Deare Sister the lady Mary Somersett & for the great trust & confidence we have in your fidelities Circumpeccōns Providdnces and Wisdomes have Constituted Ordeyned & appoynted & doe by theis pnts constitute Ordeyne & appoint you Stephen Horsy W^m Stevens W^m Thorne James Jones John Winder Henry Boston, George Johnson & John White gent. Com^{rs} Jointly & seu^rally to keepe the peace in Sommersett County afores^d & to keepe & cause to be kept all laws & Ord^{rs} made for the good & conservacōn of the peace. & for the quiett rule & gou^mt of the people in all & eu^y the Articles of the same & to chastice & punish all p^{rs}ons offending ag^t the forme of any lawes & Ord^{rs} of this our pvince or any of th^e in Som^rsett Co^{nty} afores^d as according to the forme of those lawes & Ord^{rs} shall be fitt to be done Wee have alsoe Constituted & Ordeyned

p. 269 you & every foure or more of you of w^{ch} you the s^d Ste: Horsey W^m Stevens & W^m Thorne (vnless some one of our Councell be pnt) are alwaies to be one Com^{rs} to enquire by the Oath of good & lawfull men of your County afores^d of all maner of felonies Whitchcrafts inchantm^{ts} Sorceryes Magick Arts Trespasses forestallings ingrossing & extorcōns w^{soeu}r & of all & singler other Misdeeds & offences of w^{ch} Justices of the Peace in England may or ought lawfully to enquire by whomesoeu^r or whensoeu^r done or p^petrated or w^{ch} hereafter shall happen to be done or p^petrated in the County afores^d ag^t the laws & ord^{rs} of this o^r pvince Provided you pceed not in any of the cases afores^d to take life or member but th^t in eu^y such case you send the prisoners wth their Indict^{ns} & the whole matter depending before you to o^r Justices of o^r Pr^{ov}all Court next to be holden of this our province whensoeu^r or wheresoever to be holden there to be tryed, And further wee doe hereby authorize you to yssue Writts, processe arrests & attachm^{ts} to hold Plea of heare & determine and after Judgm^t execucōn to award in all causes Civill whether in accōns reall or personall where the thing in accōn doth not exceed the value of Three thousand pound weight of tobacco according to the lawes Orders & reasonable Customes made & vsed in this o^r pvince of Maryland In w^{ch} causes Civill to be tryed we doe Constitute Ordeine & appoint you the s^d Ste: Horsey W^m Stevens & W^m Thorne or either of you to be Judgess afores^d vnlesse some one of our Councell be then in Co^{rt} And therefore we comand you th^t you dilligently intend the keeping of the peace lawes & ord^{rs} & all

& singler other the premisses & att certeyne daies & places w^{ch} you or any such foure or more of you as afores^d shall in th^t behalfe appoint ye make inquires vpon the p^misses & p^forme & fullfill the same in forme afores^d doeing therein th^t which to Justice apperteyneth according to the lawes Ord^s & reasonable Customes of this our pvince Saving to us the am^rcia^m^s & other things thereof to us belonging And we comand the sherriffe of your s^d County for the tyme being by u^rtue of theis p^unts th^t at c^teine daies & places w^{ch} you or any such foure or more of you as afores^d shall make knowne to him to give his attendance on yo^w & if need require to cause to come before you or any such foure or more of you afores^d such & as many good & lawfull men of your County by whome the truth in the premisses may be the better knowne & enquired of And last lastly we have appointed Edmond Beachchampe Clark & Keeper of the Records of p^oceedings in this yo^r County Court & therefore you shall cause to be brought before you at the said Daies & places the writts p^ocepts processes Indictm^s to yo^r Court & Jurisdicc^on belonging to the same may be inspected & by a due course det^rmined as afores^d Given vnd^r the great Seale of this our pvince of Maryland the two & twentyeth day of Aug^t in the five & Thirtyeth yeare of our Dominion over the s^d Province & in the yeare of our Lord One Thousand Six Hundred Sixty Sixe Wittnes our Deare Sonn Charles Calvert Esq our Leivtennant Generall Cheife Governo^r and Cheife Justice of our sayd Province of Maryland.

1666
August 22th Comm^{con} then issued to Stephen Horsey of Somers-
sett County to be Sherriffe of the said County for one
whole yeare from the date thereof to be Computed and after
untill the Gouverno^r shall depute another sherriffe for the said
County, mutatis mutandis ut est in fo: 255 to Nicholas Young

Warr^t alsoe issued to impower the said Horsey to take
a list of all the tythable persons in the said County of
Somersett and to returne the same by the next Pro^{all}
Court to be held the 16th day of Octob^r next.

mutatis mutandis ut est in fo: 256 to young

Septemb^r the 7th 1666

Then came John Edmondson and John Pitts and humbly
prayer the Rig^t Hon^{ble} The Leivtenn^t Generall to grant them
Lycence and Commission to trade & trafficque wth any Indians
wthin the Prouince for Beauor and Roanoke or other Commo-
dities to the uallue of two hundred weight of Beauor or other
Skinns and Two Thowsand Armes length of Roanoke

Liber H. H. Ordred that John Pitts & Jn^e Edmundson haue toleracōn lycence and liberty to Commerce and trade with any Indians wthin this prouince Prouided they be accomptable for the tenth part of all Beauor see by them traded for, to the Leiutenn^t Generall for the time being

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Att a Councell held in the Office Chamber On
the 12th Sep^r 1666

Charles Caluert Esq^r Gouverno^r
Philip Caluert Esq^r Chancello^r
Jerome White } Esq^r Counc^r
Coll W^m Euans }

Then was taken into Consideracōn the makeing up of the publicque Leauy for this p^rsent yeare of 1666

Att which time it is Ordred that the Leiutenn^t Generall be paid out of the publicque leauy for a horse by him disburst and giuen by the Country to the Indians 2500^t tob
allso Ordred the leiutenn^t Generall be paid out of the publicque leauy for Carpenters work & planck used in } 1920
and the Court howse for the railles & benches &c }

Also Ordred the Leiutenn^t Generall be paid out of the publicque leauy for Carpetts & other necessarys for } 3828
the Court howse }

Ordred that the Hon^{ble} Chancello^r be p^d out of the publicque leauy the Charge of his sloop downe to Ver- } 2000
genia at her hire wth uictualling & mens wages }

Ordred that the Clk Daniel Ienifer be p^d out of the publicque leauy for making up the publicque leauy 3 } 2000
yeares together & the County leauy }

Ordred that the said Dan: Ienifer be paid Out of the publicque leauy for 2 mens hire and dyet wth other dis- } 940
bursm^{ts} about the Office to the late Secretary }

Ordred that Leiutenn^t W^m Smyth be paid Out of the publicque leauy for Carpenters Work and Planck dis- } 3482
burst about the Office to the late Secretary }

Then was read a petition of diuers Inhabitants & souldiers of Charles County that the Gouverno^r would displace Cap^t W^m Boreman whom was lately Constituted Cap^t of the militia &c:

Ordred that the 5 first named in the said petition be sent for downe by speciall sūmons to the sherr. of that County, to appeare next Prouin^{all} Court to Answer their Contempt herein for disobeying the said Com^{con} theire names are James Lindsey Joseph Harrison Ignatious Causine John Lewger and Thomas Allanson &c

Att a Councell held in the Office
Chamber the 25th day of
Septemb^r Anno 1666

Liber II. II.
P. 273

Charles Caluert Esq^r Gouverno^r
Philip Caluert Esq^r Chancello^r
Jerome White } Esq^{rs}
Coll W^m Euans }

Was then the County Leauy taken in hand to be made for
this yeare

Ordred the Hon^{ble} Chancello^r be paid out of the County
Leauy according to act of Assembly 1 tob.
for transcript of all the last lawes 2000

Ordred that w^m Smyth be satisfyed for this County }
Burgesses Expences according to the Act of Assembly } 2785

Ordred that Rob^t Cork be paid for goeing in a boate 550

Ordred that Cap^t Nic^o Young and Dan: Jenifer be paid }
out of the leauy } 429

Ordred that Coll w^m Euans be paid for 1 wolues }
head } 100

Ordred that Jn^o Nuthall be paid for one wolfs head }
out of the leauy } 100

Ordred W^m Caluert Esq^r be paid for 2 wolfs heads }
out of the leauy } 200

Ordred that Cap^t Luke Gardner be paid for 3 wolfs }
heads } 300

Ordred that Uincent Atcheson be paid for 3 wolfs }
heads } 300

6764

Ordred the Sher. be p^d for Colleccon 676

7440

Tythables in this County is 620 persons at 12^t p pole }
amounts unto } —

The publicque Leauy is this yeare 41^t tob: p pole wth
the County leauy makes in all 53^t tob: p pole

Letter of Dennizacōn granted to Thomas Barbery Subject p. 274
to the Kingdome of Portugall Mutatis Mutandis p ut fol 165
dated the 12th of October in the 35th yeare of our Dominion &c.
annoq Domini 1666. Wittnes our Deare Sonn Charles Calvert
esquire our Leivtenn^t geñall of our sd Province of Maryland.

Liber H. H.

Att a Councell held at S^t Marys
the 17th day of Octob^r 1666

Prsent Gouverno^r Chancello^r Jerome White Edward Loyd
Henry Coursey Coll: Williams Euans and Thomas Tru-
man. Esq^{rs}

Was then taken into Consideracōn the Confirmacōn of a
Cessation made in the Prouince of Carolina by an Act of
Assembly ther made and sent heither und^r the handes of
William Drumand Esq^r Gouverno^r thereof and George Catch-
meyd Gen^t speaker of the s^d Assembly

Put to the Vote wether the said Act ought to be
put in Execucōn or not, Major Vote Conuenient

Whereupon Ordred by the Gouverno^r & Councell that a Ces-
sacōn be made throughout the whole Prouince according that
Act made in this Prouince at an Assembly held the 10th day
of Aprill last and all Clauses therein expressed to be duely
Observed and kept.

And further Ordred that the ensueing Proclamacōn doe forth-
wth issue to each respectiue County wthin this Prouince to be
there Proclaime by the sherriffes of each County that the
Inhabitants therof may be fully satisfiied of the same

Which Proclamacōns did accordingly issue und^r the
Greate Seale of this Prouince to each respectiue County
and is as followeth

By the Lievtenn^t Generall
and Cheife Governor of this Pro-
vince of Maryland.

Proclamacon
Concerning the Act for Encouragm^t
of Trade

Wheareas by a late act of Assembly begun at S^t Maries the
tenth day of Aprill in the yeare One thousand six hundred
sixty & six Entituled an act for encouragm^t of trade itt is
Enacted that no tobacco shall be Sowen Sett planted or any
waye tended wthin this province from the first of ffebruary w^{ch}
shall be in this present yeare One thowsand sixe hund^d sixty
& sixe till the first of ffebruary which shall be in the yeare One
thowsand sixe hundred sixty Seaven Provided th^t the R^t hono^{ble}
S^r William Berkeley & the assembly in Virg^a & William
Drummond Esq^r & the assembly in Carolina do make the like
act in their seu^{al}l & Respective assemblyes, Prohibiting the
sowing setting planting or any waies tending any tobacco in
the yeare afores^d) within their seu^{al}l & Respective Jurisdiiccōns

from the first of february One thowsand six hundred Sixty & sixe till the first of february One thousand six hundred sixty seaven in Compliance with the said act of our Assembly And whereas aswell the said S^r William Berkely and the assembly in Virg^a As the s^d William Drummond & the Assembly in Carolina have passed their severall & Respective acts prohibiting the Sowing Setting planting or any waies tending any tobacco in the yeare afores^d wthin their seu'all & respective Jurisdiiccōns by the Advice & Consent of the Councell I doe hereby Publish the said Act & strictly charge & Comand all persons wthin this province to obserue the same vnder paine of Imprisonm^t fine & such other punishm^{ts} as by lawe may be inflicted vpon Contemn-
p. 276
 ners of his Lops lawes & lawefull comand & breakers of the Publiq ffaith and I doe hereby Strictly charge and comand all Majestrates sheriffes Constables & other his lops Officers to see the said Act & this Proclamacōn put in full & Effectuall execucōn Given att S^t Maries vnder the greate seale of our s^d Province this seaventeenth day of October in the five & thirtyeth yeare of his lo^{ps} Dominion over this province Annoq Dm One thousand six hundred sixty & Sixe

The Eleaventh of December 1666.

Further Articles of agreem^t had made, concluded and agreed on at S^t Maries in Maryland between us the Subscribed Com^{rs} for Virg^a and Maryland sufficiently impowred to Treat and conclude of a Totall Cessation of Planting Setting or soweing any Tobacco in each Colony as also in Albemarle County in Carolina as followeth.

Viz^t Whereas there was an agreem^t made & concluded on between the Com^{rs} of Virg^a Maryland & Albemarle County in Carolina bearing date the twelfth of July one thousand six hundred sixty six at James Citty grounded upon the severall & respective Acts of Assembly for a cessation by w^{ch} it was assented to & concluded on that there should be a Totall Cessation from Sowing, Setting Planting or any waies tending any Tobacco in any or any part of the three Colonies afores^d from the first of February one thousand six hundred sixty six untill the first of February one thousand six hundred sixty seaven. Provided W^m Drummond Esq^r Gov^r of Albemarle County in Carolina & the Assembly of that Province did make the like Act in th^t Colony. And the same should Transmitt to the Gov^{rs} of Virginia & Maryland by the last of September then next to ensue as by the said Articles, (Relacōn being thereto had) more fully may appear. And whereas the s^d W^m Drummond Esq^r & the Assembly of Albemarle County aforesaid did make an Act prohibiting the sowing setting, planting

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or any waies tending any Tobacco from the said first of February one thousand six hundred sixty six, to the first of February, one thousand six hundred sixty seven. But the said Act so made could not Transmitt to the s^d Gov^{rs} of Virginia and Maryland before the fifth of October last past by reason of an Invacōn of their neighbouring Indians by which laps of a few daies occationed by the s^d Invacōn, Wee doe not judge either the severall & respective Acts of Assembly or the s^d Articles of Treaty of the 12th July aforesaid grounded upon the said Acts to be falln or voyd Wherefore to the intent the good of the severall Collonies expected from a Cessacōn, may not be stifled in its birth, wee the Com^{rs} of Virg^a and Maryland doe declare that no Advantage is or ought to be taken upon the lapse of those few daies mencōned being noe Essentiall part of the said Agreem^t and doe hereby accordingly ratifie and confirme the same according to the true intent and meaning thereof, fully relying upon the said late Act of Assembly of Albemarle County in Carolina for the performance & the Execucōn of the s^d Cessacōn in time and manner as is expressed in the same. And wee doe further hereby agree & conclude th^t there shall issue out a Proclamacōn from each of the respective Gov^{rs} requireing and commanding an exact Obedience to the s^d severall acts of Assembly made in the s^d severall Colonies of Virg^a Maryland and Albemarle County and likewise the said Articles of Agreem^t under the penalties of Fine Imprisonm^t & cutt up the Tobacco planted, sett, sowne &c: To be inflicted upon all or any person or persons offending against the s^d Act or any of them in their respective Governm^{ts} And that Authentique Coppies of the s^d Proclamacōns to be published as aforesaid be (so soone as possible) transmitted from each respective Gov^r to both the other Gov^{rs} to the intent that all Interests may be satisfied in the severall proceedings in the performance of the said Articles In wittness whereof wee have hereunto sett our hands and seales, the day and yeare first above written

Philip Calvert (seal)
Henry Coursey (seal)
Rob^t Slye (seal)
Tho: Notley. (seal)

Tho: Ludwell (seal)
Robt: Smith (seal)
Ri: Bennet (seal)
Nicho: Spencer (seal)
Tho: Ballard (seal)
Joseph: Bridg^r (seal)
Daniell Parke (seal)

Liber H. H. January the 2^d 1666
p. 276

Was then Sworne before the Leiutenn^t Generall the Comm^{rs} of Charles County to that Oath concerning a Cessacōn whose names are Henry Adams Zachary Wade Joseph Harrison

Francis Pope Willeam Marshall Walter Beane and James Liber H. H.
Lindsey

[Disassent to Cessation of Tobacco-planting.]

C: Baltemore

Cæcilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Barron of Baltemore &c. To our Leiv-tenn^t of our sayd Province of Maryland & of the Dominions therevnto belonging Greeting Having taken notice of a certeyne Act of Assembly made att & by a gen^lall Assembly of the Delegates & Deputies of the Freemen of our said Province of Maryland begunn the Tenth Day of Aprill in this pⁿte yeare of our Lord one thousand six hundred sixty & Sixe Entituled an act entituled an act for the encouragem^t of Trade The effect of which is to prohibite the planting of Tobacco for a certeyne tyme therein Limited and having duely considered the great Inconveniencies w^{ch} may follow from the same Not only to the Poorer Sort of the Planters within our sayd province but alsoe to the Kings most excelent Majesty in relacōn to his Ma^{ties} Customes Wee do hereby will & require you That vpon the Receipt of theis pⁿts you doe Imediately Declare & publish or cause to be Declared & published within our said province our p^tcicular & expresse Disassent. Disagreement & Disapprobacōn of & vnto the sayd Act of Assembly herein before recited And like wise th^t att the next Gen^lall Assembly of the Deputies & Delegates of the s^d Freemen of our sayd Province of Maryland to be assembled you doe likewise Declare and publish our p^tcicular and expressed Dissent Disagreement & Disapprobacōn of & vnto the sayd act of Assembly herein before recyted w^{ch} sayd act of Assembly wee doe p^tcicularly & expressly disapprove of & Dissassent vnto And wee doe by theis presents vnder our hand & Seale publish & Declare our p^tcicular Disassent & Disagreement vnto & Disapprobacōn & disapprobacōn of the sayd Act of Assembly herein before recyted & of & vnto all & every the Articles Clauses Matters & things therein mencōned expressed & conteyned Given vnder our hand & Seale att armes this foure & twentyeth day of November in the five & thirtyeth yeare of our Dominion over our sayd Province Annoq Dñi One thousand six hundred sixty sixe

This is a True Copy
examined by me

seale

Locus
Sigilli

Charles Calvert.

You are hereby Ordered vpon sight hereof to cause the above said Instrumēt being a true Copy of the Originall from

Liber H. H. vnder the hand & Seale at arm's of the R^t hono^{ble} the Lord Proprietary to be forthwith published by your selfe or Deputy in your County & hereof you may not faile & this shal be your Sufficent warr^t for your soe doing Given vnder my hand & Lesser Seale this sixteenth day of ffebruary one thousand six hundred sixty sixe

To Cap^t Nicholas Young.

Charles Calvert

High sherriffe of
S^t Mary's County

[Denization of John Jourdaen.]

Cæcilius Absolute Lord & Proprietary of the Provinces of Maryland & Avalon Lord Barōn of Baltemore &c. To all persons to whome theis presents shall come Greeting in our Lord God Everlasting Whereas John Jourdaen late of the Island of Barbado's belonging to the Crowne of England & Subject of the Crowne of ffrance having for Some tyme Resided within this our Province of Maryland hath besought us to grant him the s^d John Jourdaen leave here to inhabite and as a ffree dennizen freedome land to him & his heires to purchase Know yee th^t wee willing to give due incuragm^t to the Subjects of th^t Crowne Do hereby declare him the s^d John Jourdaen (be in all things held treated reputed & Esteemed as one of the faithfull people of us our heires & Successors borne within this our Province of Maryland And likewise any lands Tenem^{ts} Revenues & to be a free dennizen of this our Province of

p. 278 Maryland And doe further for us our heires and Successor^{ts} straytly enjoyne, Constitute Ordeyne & comand th^t the said John Jourdaen be in all things held treated reputed & esteemed as one of the faithfull people of us our heires & Successors borne within this our Province of Maryland And likewise any lands tenem^{ts} Revenues Servies & other hereditam^{ts} whatsoever wthin our s^d province of Maryland may inherite or otherwise Purchase receive take have hold buy & Possesse & th^m may occupy & enjoy give Sell Alyen & bequeath as likewise all libtyes ffranchizes & Priviledges of this our Province of Maryland freely quietly & peaceably have & Possesse occupy and Enjoy as our faithfull people borne or to be borne wthin our said Province of Maryland without the lett. Molestacōn vexacōn trouble or Greivance of us our heires & Successor^{ts} any Custome to the contrary hereof in any wise notwithstanding Given att S^t Maryes vnder the greate Seale of our said Province of Maryland this two & twentyeth day of March in the five & thirtyeth yeare of our Dominion over our s^d Province of Maryland annoq Domini one thousand six hundred sixty six Wittnes our deare Sonn Charles Calvert Esq^r our Leiv^t Gen^{all} & cheife Governo^r of our s^d Province of Maryland.

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